**Submission on ERO-019-6813**

**Review of A Place to Grow and Provincial Policy Statement**

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**Proposed Provincial Policy Statement**

In addition to its intended, yet ill-conceived and highly ineffective replacement of the Growth Plan (discussed in our companion submission specific to the repeal of the Growth Plan), the proposed new Provincial Policy Statement also revises, deletes or adds new policies the PPS 2020

While many of the existing policies in the PPS 2020 are maintained there are numerous deletions additions of significant concern. Following are key observations by theme:

**Housing**

Despite the Government’s singular and myopic focus on housing, the proposed Provincial Policy Statement does virtually nothing to encourage or promote affordable housing in Ontario.

There is no longer any specific policy regarding affordable housing nor any requirements to establish affordable housing targets. The definitions for “*affordable*” and “*low/moderate income households*” (integral to the definition of affordable) have been abandoned from both the PPS 2020 and the Growth Plan.

“Affordable” has long been defined as households within the 0-60th income percentiles spending no more than 30% of their gross income on housing. While the new PPS speaks to “affordability”, losing these long-standing benchmarks treats all housing the same, makes measurement impossible, creates significant potential for disparate definitions amongst municipalities and is being done for no discernable purpose.

The government simply speaks about housing, not affordable housing – which by definition of *low/moderate income households* is housing for fully 60 per cent of the population (0-60th household income percentiles). Removal of the policy and definition of affordable housing is in keeping with the government’s demonstrated failure in requiring MZOs to mandate affordable housing units, requiring affordable housing components on Greenbelt removal lands, and/or establishing affordable housing requirements on the tens of thousands of acres of urban expansion land the Minister has imposed on municipalities.

Other changes include removing “rooming houses” from the definition of housing options in the PPS 2020 and not incorporating policy in the Growth Plan promoting municipalities to require a mix of unit sizes in multi-residential developments (an important component of ensuring units suitable for multi-person households/families.

Recommendation:

1. Retain the policies and definitions related to affordable housing and low/moderate income households and retain/include a policy requiring municipalities to identify an affordable housing target
2. Retain rooming housing in the definition of housing options
3. Incorporate policy and reference in definition of housing options speaking to a mix of unit sizes and number of bedrooms
4. Amend Planning Act to specifically enable municipalities to regulate unit size and number of bedrooms

**Land**

The biggest change is the removal of the requirement for a “municipal comprehensive review” prior to a municipality expanding a settlement area – a requirement found in both the PPS 2020 and the Growth Plan.

Such analyses are instrumental for ensuring the coordination of potential settlement expansion with the demonstration of need, the availability of existing/planned infrastructure, watershed-based analysis, and assessment of impacts on agricultural and natural heritage/water resources.

The PPS 2020 now says municipalities must plan for “at least” 25 years of land where previously it said “up to”. This will encourage some to plan for even longer leading to the premature conversion of farmland, which the 2021 Census shows is being lost at an alarming rate (over 500,000 acres between 2016-2021 or 319 acres/day). Given the rate of change and increased uncertainty over longer time periods, it is inappropriate to promote planning for longer than 25 years on the basis of today’s understanding and circumstances.

There is a new provision which states that MZO’s don’t count towards a municipality’s growth forecast – although they are to be factored in any future forecast. However, the fact municipalities can develop their own forecasts for undefined periods into the future renders this clause meaningless. It sets the stage for a Minister to impose MZOs irrespective of anything – which is spelled out in another new policy which says MZOs don’t have to reflect any provincial policy/plan or a municipal official plan. If a municipality has a current official plan there should be no need to add more land via an MZO and any MZO should be restricted to apply only within the approved settlement boundary.

Recommendation:

5. Maintain policies requiring a municipal comprehensive review prior to any boundary expansion

6. Maintain policy limiting land supplies to “up to” 25 years

7. Remove policy that MZOs don’t count towards a municipality’s growth forecast and add a policy that if a municipality has a current official plan any MZO can only be applied within the approved settlement boundary

**Settlement Areas**

Another notable change is that the new PPS includes wording contemplating the establishment of “new” settlement areas. Given all the existing settlements in Ontario and priority on developing in them – this new policy seems destined to be used to allow major new developments geographically removed from any existing settlement.

The proposed PPS does not bring forward the PPS 2020 requirement to avoid development that impacts efficient expansion of settlement areas. This was specifically to address circumstances where rural townships surrounding cities (eg. Orillia, London, Guelph, Peterborough etc) were allowing development on individual wells and septic tanks adjacent or near these fully serviced cities. This caused serious issues when these cities tried to expand as the lot fabric to support individual septic/wells is not appropriate (ie. too large) to support fiscally viable full servicing.

The requirement to assess alternatives to expanding settlement areas on prime agricultural lands has been deleted as has the requirement for settlement expansions to consider the Wise Use and Management of Resources section as well as the need to engage in watershed planning as part of any settlement expansion. These deletions severely undermine the need to balance settlement growth with the natural environmental, water and agricultural resources – long standing and fundamental considerations of any responsible planning exercise.

Recommendation:

8. Delete new policy allowing new settlements

9. Retain policy about avoiding development which impacts efficient expansion of settlement areas

10. Retain policy requiring consideration of alternatives to prime agricultural lands and requirements to address the Wise Use and Management of Resources section as well as the requirement for settlement expansion to be accompanied by watershed planning

**Agriculture**

In addition to weakening agricultural policies in relation to settlement expansion, the proposed PPS forces municipalities to allow three lots to be severed from every farm in a prime agricultural area (whether they support this policy or not). This type of lot creation has been proven to sterilize certain types of agricultural operations (eg. livestock), lead to complaints and conflict between non-farm residents and farm operators/operations and generally lead to the increased introduction of non-compatible residential uses which must drive to obtain every service they require.

It also weakens tests for considering aggregates on specialty crop lands. This lacks appropriate prioritization as there are very limited specialty crop lands while there are many areas where aggregates can be accessed outside of specialty crop areas. This policy reflects a lack of understanding of how little specialty crop land is left in Ontario and how productive and important it is – as further seen through its removal from the Greenbelt of some of last remaining specialty crop lands in Niagara.

In 2017 the Growth Plan was amended to include policies and a map of an Agricultural System for the GGH and the fact they were one of the key enhancements to the Growth Plan in 2017. Both have been abandoned despite the stunning loss of agricultural land in Ontario (319 acres/day on average between 2016-2021) - primarily resulting from urban sprawl and associated infrastructure.

Recommendation:

11. Delete policy allowing three lots to be severed from every farm parcel

12. Strengthen policy by prohibiting aggregate extraction on specialty crop lands

13. Incorporate Growth Plan Agricultural System map and policies

**Community Building**

Meaningful language from the Growth Plan has not been brought into the PPS including the following: “encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*”

The defined term “public realm” has also been abandoned.

These changes – coupled with Bill 23 changes to the Planning Act to limit municipal authority over landscape and architectural design - reflect a simplistic mindset which ignores the fact that housing needs to be planned as part of the community in which it is situated.

Recommendation:

14. Incorporate Growth Plan policy “encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*”

15. Incorporate reference to “public realm” and include the definition from the Growth Plan

**Compact Urban Form**

While the new PPS retains generic language, all the key metrics of the Growth Plan with respect to mandating intensification and greenfield density targets are abandoned. The entire intensification first priority framework of the Growth Plan is lost. Further, the requirements for planning authorities throughout Ontario to identify intensification targets have been removed as has the policy requiring assessment and demonstration of meeting those targets as part of any settlement expansion proposal.

There is no longer a mandated density target for greenfields for municipalities in the Greater Golden Horseshoe – only encouragement for “large and fast-growing municipalities” to achieve 50 people/jobs/ha – which are limited to 29 towns/cities – 25 of which are in the GGH. This means that over 70 municipalities in the GGH have been exempted from even encouragement of a density target.

This directly undermines the Government’s own Transit Supportive Guidelines which identify a target of 80 people/jobs/ha to achieve frequent bus service (10-15 minutes) the level of service deemed necessary to get people to use transit. Essentially, the Government is letting all the air out of the transit balloon and the $60 billion Regional Transportation Plan (RTP) by opening the floodgates to low density urban sprawl in the vast majority of municipalities in the GGH which will never be served by transit - thereby simply replicating the development patterns which led to the RTP and major investments in the first instance.

Recommendation:

16. Maintain the requirement for all municipalities to identify an intensification target and to assess progress in meeting the target as part of any settlement expansion

17. Include a policy requiring all municipalities with transit service to establish density targets on unbuilt portions of an approved settlement area

**Infrastructure**

While the new PPS reflects generic infrastructure efficiency policies it also lacks the specifics the Growth Plan provided – another central tenet in its creation – while also downplaying the entire concept of “green” infrastructure.

The understanding that low density development patterns (residential, industrial or commercial) cause a structural infrastructure deficit has been lost. A major thrust of this exercise is to allow and facilitate increased low-density development.

The link to infrastructure and land use planning has also been weakened by removing reference to and requirements for municipalities to engage in sewer, water and transportation master planning – and replacing it with simple encouragement – while also not including the Growth Plan requirement for sewer/water environmental assessments to demonstrate viability of any settlement expansion. This particularly impacts communities reliant on inland river/lakes/aquifers while also hampering upper tier municipalities responsible for sewer and water planning/funding/provision.

The Growth Plan policy restricting Great Lake pipelines to inland communities has also been left out as has been the prohibition of pipeline extensions from outside to inside the Greenbelt. Coupled with the abolition of regional planning and elevation of lower tier aspirational planning, this raises serious concerns about future coordination of sewer and water and industry big pipe schemes.

The term “centralized and decentralized” sewer and water systems has been added but one is not sure what “decentralized” is intended to allow/refer to – although it sounds as it is referring to private servicing systems – which inherently lead to more consumptive land use patterns while also more impactful to the environment.

Recommendation:

18. Include a policy requiring master sewer, water and transportation planning as part of any settlement expansion

19. Incorporate a policy stating no new Great Lake pipelines to inland communities or into the Greenbelt are allowed unless for health and safety reasons

20. Revise policy to strongly prefer centralized sewer and water systems and provide a definition for “centralized and decentralized” sewer and water systems

**Transportation**

The entire “transit first” priority of the Growth Plan has been abandoned.

The requirement and metric for major office to be on planned/existing transit in the GGH has been left out – a regressive removal since major offices are significant trip generators with a high potential for transit use if located on high frequency transit.

The density target and spatial/areal requirements for MTSAs outside of large and fast-growing municipalities have been removed leaving lower tiers solely to make such determinations.

The policies now focus on transit corridors and stations – abandoning and ignoring the general thrust and understanding that transit supportiveness is dependent on community wide development patterns.

Recommendation:

21. Include policy requiring major office to be located on planned/existing transit routes

22. Maintain density target and spatial/areal requirements for MTSAs outside of the 29 large and fast-growing municipalities

**Heritage**

In keeping with changes to the Ontario Heritage Act, only “protected heritage properties” not cultural heritage resources are spoken to in the new PPS. The changes mean heritage resources which have not received designation will be much more difficult to try to conserve.

Recommendation:

23. Retain policies referring to cultural heritage resources

**Co-ordination**

The new PPS retains a section on Coordination found in both the PPS 2020 and Growth Plan – but this is completely at odds with the government’s action in abolishing land use planning authority in 7 regions in the GGH along with abandoning the population and employment forecasts in the Growth Plan which upper tiers were to coordinate the allocation of amongst their lower tiers. Again, the words are in conflict with demonstrated actions of the government.

**Water**

While the changes to the wording are modest, one of the changes is to only “encourage” municipalities to undertake watershed planning within the Greater Golden Horseshoe whereas pursuant to the Growth Plan this is currently a requirement.

Yet even this wording rings hollow with the prior legislative restrictions (Bill 23) on Conservation Authorities undertaking watershed planning. Again, the words conflict with the government’s actions.

The definition of “significant” has been revised to delete reference to the “degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities”. The deletion of this definition is highly regressive and done for no legitimate reason.

Recommendation:

24. Maintain and strengthen requirement for watershed planning in the Greater Golden Horseshoe – including for any proposed settlement expansion

25. Maintain existing definition of “significant” with respect to water resource features

**Natural Heritage**

While the changes to the proposed PPS are minor, the companion changes to the Wetland Evaluation Manual severely undermine the identification of provincially significant wetlands – particularly due to the changes in relation to wetland complexing. Similarly, proposed changes to the Natural Heritage System Manual institutionalize compensation as a legitimate approach which will result in the loss and/or degradation of many features on the promise of monetary payments or replacement in some other location. This should only be a last resort and needs far more transparent rules and structured oversight of implementation and investment of any monetary compensation.

Further, the Growth Plan Natural Heritage System Map and policies for the GGH have been abandoned leaving a much-weakened policy and delineation framework of natural features, water resource features and natural heritage systems for entire Greater Golden Horseshoe beyond the Greenbelt.

Recommendation:

26. Do not proceed with the proposed changes to the Wetland Evaluation Manual

27. Narrow, clarify and incorporate far stronger requirements under the Natural Heritage Reference Manual to limit compensation as an acceptable approach for avoiding negative impacts on natural heritage features/functions

28. Incorporate the Growth Plan Natural Heritage System Map and policies

**Climate Change**

The entire Climate Change section of the Growth Plan has been abandoned despite buildings and transportation being the two leading causes of GHG emissions in Ontario. The entire thrust of more compact, transit supportive design through increased intensification and denser greenfield development in the Growth Plan has been lost.

As well, despite documented increases in severe weather events and flooding, the new PPS does not contain existing PPS policy calling for municipalities to plan water resource systems with a climate change lens

Recommendation:

28. Incorporate the Growth Plan climate change policies

29. Maintain existing policies for municipalities to apply a climate change lens in planning water resources

**Soil Management**

Policy speaking to municipalities development soil management strategies to manage and oversee the removal and placement of excess soil (eg. from subway, condominium excavations) has been left out. This policy is an important adjunct/companion to the regulatory soil management framework Ontario has implemented and very important as development and infrastructure projects is where most excess soil derives from.

Recommendation:

30. Retain the existing policy regarding soil management strategies