



Greater Toronto Airports Authority

# GTAA Submission on the Provincial Planning Statement 2023

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# Overview

On April 6, the Ontario government released a proposed 2023 Provincial Planning Statement designed to create a single province-wide land use planning policy and increase housing supply and affordability throughout the province. In principle, the Greater Toronto Airports Authority (GTAA) supports the Ontario government's housing imperative and welcomes the opportunity to provide feedback on the proposed policy changes and their potential impact on the lands surrounding Toronto Pearson, the Pearson Employment Zone.

The Pearson Employment Zone is the second-largest employment hub in Canada, where a concentration of businesses in advanced manufacturing, transportation, life sciences, auto, logistics, cargo and other industries employs more than 400,000 people. The economic potential of this zone and its related businesses should not be risked by creating new housing lands at the expense of existing employment lands in the Airport Operating Area (AOA).

At the heart of the employment zone is Toronto Pearson International Airport itself, advantageously positioned adjacent to the 400 series highways, rail lines and international goods movement corridors, and forecasted to grow well beyond the 50 million passengers it served in 2019. Protecting the operational performance and future growth of Toronto Pearson the Pearson Employment Zone is critical to unlocking Ontario's full economic potential and enhancing the province's global economic competitiveness.

The GTAA commends the Ontario government for its commitment to achieving provincial housing supply and affordability targets, and for its efforts to establish a streamlined and effective policy environment to that end. However, we encourage the government to prioritize the gentle densification of existing settlement areas—outside of the Airport Operating Area—and the built environment while minimizing disruption to critical, scarce, and sensitive lands, including employment lands such as the Pearson Employment Zone.

In the spirit of cooperation and maintaining a systemic approach to land use in the AOA, this submission provides detailed comments and recommendations to the Minister of Municipal Affairs and Housing to inform the next phase of the proposed 2023 Provincial Planning Statement (PPS).

## Key Recommendations:

- Safeguard the operational integrity of Toronto Pearson by prohibiting new residential development or other sensitive land uses above the 30 NEF/NEP noise threshold, as outlined in Section 3.4 of the new PPS.
- Safeguard land use compatibility between the airport and all sensitive land uses by carrying over the full text of Policy 1.2.6 from the PPS 2020, which is intended to pre-empt potential conflicts and prevent barriers to achieving compatibility.
- Safeguard the Municipal Comprehensive Review process for any employment land conversions being considered in the AOA so that the GTAA, Transport Canada and NAV Canada can provide a full analysis of the impact of any new residential development within the AOA.
- Safeguard the intent of Provincially Significant Employment Zone #14, the Airport Employment Zone, in order to protect job creation and overall economic growth in Canada's second-largest employment zone.
- Oppose noise-sensitive residential development within the Airport Operating Area to avoid exposing future residents to aircraft noise.

# Background

There is a long history associated with the planning and expansion of Toronto Pearson and its impact on the surrounding municipalities of Brampton, Mississauga, and Toronto, plus the Regional Municipality of Peel.

Toronto Pearson's runways and flight paths, for instance, are protected by Federal Airport Zoning Regulations ("AZR") under the Aeronautics Act, developed and enacted by Transport Canada. These AZRs are enforceable by law and apply to all land parcels that affect them or are affected by them.

In the 1970s, Transport Canada initiated planning around the Airport with the formulation of Noise Exposure Forecast ("NEF") modelling, designed to predict noise impacts resulting from the operation of the Airport. In the 1990s, the GTAA established an Airport Operating Area ("AOA") that further implements the Noise Exposure Forecast. Following the 1996 Transport Canada recommendation to move noise-sensitive land uses compatibility threshold from 35 NEF to 30 NEF, a value of 30 NEF has been used and incorporated into the PPS and various official plans. (The Ontario Municipal Board incorporated the AOA into the Region of Peel and City of Mississauga Official Plans in 1998, and into the City of Toronto Official Plan, i.e., Metroplan, in 2001.)

While there were various additional Transport Canada guidelines in existence in the 1970s and 1980s, formal provincial policies to protect long-term operations of the airport were enshrined in the first Provincial Policy Statement ("PPS") in 1997. Under the *Planning Act*, the first PPS required municipalities and other stakeholders, such as the Ontario Municipal Board, "to have regard" for airport operations in all planning applications. This was later amended and strengthened in policy terms "to be consistent with." The policy language in the PPS, most recently updated in 2020, is well known and understood by all land use planning stakeholders.

Since 1997, the GTAA has relied on the PPS and portions of *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* ("Growth Plan") 2019 to support its position with respect to various development approvals within its jurisdiction. The GTAA has successfully worked with the province, Peel Region and the cities of Brampton, Mississauga, and Toronto to implement these policies in various official plans, zoning by-laws and all forms of development approval. Our mandate is to ensure the continued safe operation of the airport, ensure land use compatibility in lands adjacent to the airport and safeguard the trajectory of economic growth in the area.

The proposed 2023 Provincial Planning Statement released by the Ontario government in April 2023 is an integrated policy statement that proposes to repeal and replace the Growth Plan and PPS 2020. This means that all decisions that relate to a planning matter will be required to be consistent with this new statement.

While not every new policy introduced in the proposed PPS impacts the airport or its area of operations, certain significant changes — notably, the elimination of Municipal Comprehensive Reviews for employment land conversions and Provincially Significant Employment Zones ("PSEZ") — raise significant concerns for the GTAA. These concerns are outlined on pages 5 and 6 of this submission.

# Review of Proposed Provincial Planning Statement

There are three main policy areas outlined in the existing PPS 2020 that are most critical to the future planning of the airport and the surrounding municipalities:

## Section 1.6.9 Airports, Rail and Marine Facilities

### GTAA position:

Section 1.6.9 of the PPS 2020 offers significant protection of lands surrounding the airport from incompatible and sensitive uses and, as such, the GTAA strongly supports carrying over of section 1.6.9 to the proposed PPS as outlined in section 3.4 of the new statement.

**Justification: The policy in section 1.6.9 — now replicated in the new section 3.4 — protects the airport from incompatible land uses and development by prohibiting new residential development or other sensitive land uses in areas near the airport. The policy supports the use of the 30 NEF/NEP to ensure appropriate buffering and separation to achieve land use compatibility.**

The policy further requires that proposed redevelopments of existing residential areas and other sensitive land uses above the 30 NEF/NEP be able to demonstrate that there will be no negative impacts on the long-term function of the airport, discouraging land uses which may cause a potential aviation safety hazard.

It is noted that these policies have not been changed and continue to provide sound policy direction to protect long-term operations and the critical economic role that the airport serves.

## Section 1.2.6 Land Use Compatibility

### GTAA Position:

Section 1.2.6 of PPS 2020 is intended to pre-empt and prevent potential conflicts and barriers to achieving land use compatibility between the airport and all sensitive land uses. In the proposed PPS, these policies are addressed in the new Section 3.5. However, some key language has been eliminated, which introduces more ambiguity and could result in more conflicts. The GTAA strongly recommends that the wording in the existing Section 1.2.6 be carried over to the new Section 3.5.

### Justification:

There are two policies in Section 1.2.6 (to be replaced with the proposed Section 3.5). The first policy is identical to that found in 1.2.6.1, and the GTAA supports this policy as worded. The intent of this policy is to achieve land use compatibility between the airport and all sensitive land uses by planning and avoiding land use conflicts. If conflicts cannot be avoided, the policy intent is to minimize potential adverse effects, such as noise, to minimize risk to public health and safety and ensure long-term operational and economic viability for the airport.

The GTAA strongly supports the continued wording of Policy 3.5.1.

Policy 1.2.6.2 has been significantly modified in the new proposed Policy 3.5.2 by eliminating the criteria currently listed to provide specific direction to the obligations of a sensitive land use that may encroach on the airport and other employment type land uses. These existing criteria or tests include:

- a) That there is a need for the proposed use;
- b) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c) Adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d) Potential impacts to industrial, manufacturing, and other uses are minimized and mitigated.

The intent of this policy is to provide protection for the long-term viability of the airport where encroachment may occur. These criteria or tests have historically been part of the PPS and are well-known to the development industry and other stakeholders. The elimination of these criteria will lead to potential confusion and conflicts in the future regarding what is required if there is intensification of an existing sensitive land use or new proposed sensitive land use in view of the requirements of Section 3.4. Criterion C is particularly important as “adverse effects” is a defined term in the PPS that correlates with the *Environmental Protection Act* and can represent a significant impact.

## Section 1.3 Employment

### **GTAA Position:**

The new PPS proposes significant changes to the existing policy framework currently set out in Section 1.3 and now found in Section 2.8. While many of these changes do not materially impact the GTAA, the following represent areas of concern: the elimination of Municipal Comprehensive Reviews (MCR), new policies on employment land conversions, and proposals to change the definition of “employment areas” and eliminate Publicly Significant Employment Zones (PSEZ).

### **Justification:**

#### **Municipal Comprehensive Reviews (MCR)**

The concept of MCR of official plans has not been carried forward into the 2023 PPS. The current policies require that any conversion of employment land be considered as part of a local municipal MCR. As a “Public Body” (as defined in the Planning Act), the GTAA comments on land conversion requests within the AOA as part of the MCR process. The elimination of this requirement weakens the ability of the GTAA to have meaningful input into such a decision. The GTAA has strong concerns about the potential for employment land conversions to sensitive land uses such as housing within its Airport Operating Area. The MCR allows for a planning process that ensures that all factors are taken into consideration. The GTAA supports the continued use of an MCR for employment land conversions as further discussed below.

#### **Employment Land Conversions**

Municipalities can consider (and landowners can apply for) the removal of land from employment areas. The tests to be met include that there is a need for the removal, and the land is not required for employment uses over the long term. However, in the absence of land budgets and targets to be met with the proposed repeal of the Growth Plan, the application of these tests will rely on targets contained in official plans. *The Planning Act* continues to limit the ability to appeal refusals or non-decisions of such applications, but as noted below, the PPS proposes to change the definition of areas of employment.

There are presently seven major requests for employment land conversions within the Airport Operating Area (the threshold for defining land use compatibility for noise-sensitive land uses). In the GTAA’s opinion, these are precedent-setting cases and should not be approved. The need for housing must not result in the conversion of employment lands in the Airport Operating Area, risking the economic potential of the Pearson Employment Zone.



In some cases, these land conversions contravene federal Airport Zoning Regulations and international standards for safe flight and place the operational integrity of Canada’s biggest airport at risk.

The GTAA respectfully requests that the province oppose noise-sensitive residential development within the Airport Operating Area and avoid knowingly exposing future residents to aircraft noise.

### **Employment Areas**

The definition of “employment areas” is proposed to be changed in both *The Planning Act* and the new PPS. The focus is on uses that cannot be located in mixed-use areas, such as heavy industry, manufacturing, and large-scale warehousing. The new PPS proposes to exclude institutional and commercial uses, such as offices and retail uses, unless these uses are associated with the primary employment use. While this may not be a problem for certain employment areas across the Greater Toronto Area, in the context of the Pearson Employment Zone, which largely mirrors the Airport Operating Area, this raises many concerns. For example, if this policy requires large parts of this existing designated employment area to be redesignated and rezoned to mixed use, it raises concerns about the integrity of this large employment area and the introduction of further applications for conversion of employment uses to sensitive land uses. When combined with the policy change to no longer require MCRs for employment conversions and the elimination of the Provincially Significant Employment Area, discussed below, the GTAA considers this overall approach will weaken the current long-established policy framework.

### **Provincially Significant Employment Zones (PSEZ)**

PSEZs were introduced in 2019 without any substantial policy implementation, and will no longer exist with the repeal of the Growth Plan. PSEZ #14 is located primarily within the Airport Operating Area. Restricting employment land conversions within the Airport Operating Area is consistent with how the province has historically treated the AOA as a PSEZ. While the province may eliminate the general use of PSEZs in the new PPS, the GTAA requests that PSEZ #14 be reclassified as the “Pearson Economic Zone” to reflect the size and importance of this existing economic employment hub.

The GTAA considers that one of the keys to unlocking Ontario’s full economic potential will be advancing the growth of the “Pearson Economic Zone,” the second-largest employment zone in Canada, home to more than 400,000 jobs and thousands of businesses in advanced manufacturing, transportation, life sciences, auto, logistics, and more.

With Toronto Pearson forecasted to grow well beyond the 50 million passenger airport it was in 2019—and given its advantageous geographical position at the heart of 400 series highways, rail lines, and international goods movement corridors—respecting Toronto Pearson’s operational performance and preserving employment land in the proposed “Pearson Economic Zone” is critical to enhancing Ontario’s global economic competitiveness.

### **Definitions for “Airports”, “Adverse Effects”, “Major Facilities”, and “Sensitive Land Uses”**

These definitions from the PPS 2020 have been carried forward into the new Provincial Planning Statement. The GTAA supports the use of these definitions as they assist in the interpretation of the provincial policies.

## Conclusion

The GTAA is pleased to be able to provide input into the formulation of the new proposed Provincial Planning Statement. While numerous important policies and definitions have been carried forward into the new policy, this submission is intended to provide feedback with the mutual goal of ensuring lands adjacent to Toronto Pearson have land uses that ensure the operational performance of Canada's largest airport, safeguard against residential development that would knowingly expose future residents to aircraft noise and realize the full economic potential in the area.

The GTAA is confident that the government of Ontario can update the Provincial Planning Statement without compromising Canada's second-largest employment zone and impacting or limiting operations at Toronto Pearson, a critical conduit for investment, trade, tourism, and immigration to Ontario.

The GTAA respectfully requests further meetings with the Ministry of Municipal Affairs and Housing to discuss these changes and other significant airport-related planning issues.