# **Staff Report**

**Meeting Date:** **August 2, 2023**

**To: County Council**

**Report Number:** **PPW 2023-016**

**Title:** **Draft Provincial Planning Statement – Natural Heritage**

**Author: Iain Mudd, Director of Planning**

**Approval:** **Sheridan Graham, CAO**

**Recommendation:** That Report PPW 2023-016, Report on the draft Provincial Planning Statement – Natural Heritage, be received;

That staff be directed to forward Report PPW 2023-XX to the Minister of Municipal Affairs and Housing and local MPP’s as the formal response from Peterborough County on the recently added Natural Heritage policies to the draft Provincial Planning Statement, and,

That a copy of the report be forwarded to each local Township for their information.

## Overview

On April 6, 2023, the Province posted the draft Provincial Planning Statement to the Environmental Registry of Ontario (ERO) for a 60-day commenting period. This commenting period was then extended to 120 days, ending on August 4, 2023.

The draft Provincial Planning Statement looks to create a province-wide, land use planning document with a focus on speeding up housing approvals.

While a number of the Statement’s policies and definitions have been carried over from the 2020 Provincial Policy Statement, many have been modified to further the province’s goal of increasing residential development. Some of the Statement’s policies and definitions are entirely new. The Statement would eliminate the Growth Plan for the Greater Golden Horseshoe however a number of Growth Plan policies and definitions, some of which have also been modified to align with this housing goal are incorporated into the new Statement.

**Background**

The Ministry of Municipal Affairs and Housing (MMAH) sought input in 2022 on how to integrate the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement.  As a result of that exercise the Ministry has drafted a new planning policy document entitled “Provincial Planning Statement”.

Through this new draft Provincial Planning Statement, the government is proposing policies grouped under five pillars:

* Generate an appropriate housing supply
* Make land available for development
* Provide infrastructure to support development
* Balance housing with resources
* Implementation

The County previously provided comments on the proposed Planning Statement through Council report PPW 2023-13, dated May 17, 2023. However, the initial draft of the Provincial Planning Statement did not include draft policies or definitions relating to Natural Heritage. This report focuses on comments relating only to these new natural heritage policies.

## Analysis

Draft Natural Heritage policies are contained in Section 4.1 of the proposed Provincial Planning Statement, and are reflective of the policies contained in the existing 2020 Provincial Policy Statement verbatim. The draft statement has not carried forward any of the policies or approaches currently contained in the Provincial Growth Plan.

The effect of this change reverts the policy environment to one that was in effect prior to 2017 (the original release date of the current version of the Growth Plan).

These policies only require an Environmental Impact Study/Natural Heritage Evaluation to be completed when development (which includes lot creation) is proposed adjacent to significant features such as wetlands, ANSI’s, woodlands, valleylands, and wildlife habitat. Since the Growth Plan currently prohibits development within 30m of key hydrologic features (any wetland, stream, pond, seepage area etc.), and requires a study when adjacent to any of these features, the County would see a significant reduction in the number of studies that are required to be submitted. It would also permit development in areas that it may otherwise be prohibited under the current policy environment (for example, near unevaluated wetlands or where a watercourse traverses the property).

A Natural Heritage System is still required to be implemented, but there is no longer a requirement to utilize a provincially mapped system as is required by the Growth Plan. Council has previously supported the Kawartha’s Naturally Connected (KNC) natural heritage system mapping and this could now be utilized by the County. The KNC mapping is more refined and will impact far less properties than the existing Provincial broad-brush style mapping.

County staff are supportive of this change for the following reasons:

* Allows Municipalities to utilize other tools available under the Planning Act - such as zoning - to protect features on the site as is deemed appropriate, rather than prohibiting development outright.
* Eliminates the need for studies or field investigations to be undertaken in situations where provincial unevaluated wetland mapping is used as part of the screening process and may be inaccurate.
* Allows Municipalities more autonomy to protect additional features in a manner that is appropriate to the local landscape.
* Allows for the utilization of locally produced Natural Heritage Systems mapping, and greater flexibility in size and form in settlement areas, rural areas and prime agricultural areas.
* Eliminates the creation of very irregularly shaped lots that have been designed or oriented to avoid key hydrologic features on the site, or may be pushed to an area of the property that is perhaps less suitable in terms of road access, servicing or other compatibility issue.
* Allows for faster processing times at all stages of development (less staff time to prepare mapping, policy review is more straightforward, fewer studies being submitted means fewer applications are caught up in peer review process).

It should be noted however, that the new County Official Plan is very heavily based on the policies of the in-effect Growth Plan. If the new Provincial Planning Statement is approved and comes into effect after the approval of the new OP, the County could potentially find itself in the situation where a newly approved OP could be immediately out of date, and out of conformity, with provincial legislation. We would strongly recommend that the Province provide a clear plan of action for Municipalities awaiting provincial approval of their Official Plans and indicate whether provincial modifications or alternative process will be made available to those OP’s to reflect the new Provincial Planning Statement. A report will be coming to Council at its August 16th meeting regarding suggested comments on the County OP ERO posting on this specific matter.

During the preparation of the new Official Plan, the protection of the environment was extremely important to members of the public. The new PPS is a drastic change in direction from the one presented to the public as part of the OP process. Although both directives offer protection, the level of protection and requirements for development are significantly different. It will be vital to be transparent about any changes to the OP in order to manage public expectations going forward.

**Financial Impact**

Not applicable.

## Anticipated Impacts on Local and/or First Nations Communities

None

To provide high quality services to residents, businesses and Townships:

**Housing** – To engage in partnership and planning in support of meeting the housing needs of our community.

**Industry & Business** – To support the attraction, retention and growth of local business and industry.

In consultation with:

1. Keziah Holden, Senior Planner
2. Bryan Weir, Senior Director of Planning and Public Works

Communication Completed/required:Council’s comments forwarded to MMAH via the ERO

Attachments

None

Respectfully Submitted,

Original signed by:

Iain Mudd

Director of Planning

For more information, please contact:

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