



August 4, 2023

Honorable Steve Clark
Minister of Municipal Affairs and Housing
Government of Ontario
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Submitted via the Environmental Registry of Ontario (ERO)

Subject: Proposed 2023 Provincial Planning Statement (ERO# 019-6813)

Dear Minister Clark:

S. C. Johnson & Son, Limited (SC Johnson) is pleased to submit these comments addressing select provisions in the Proposed 2023 Provincial Planning Statement (PPS).

Summary

SC Johnson currently operates a 103-year-old manufacturing facility in Brantford, Ontario that is threatened by further residential encroachment brought on by the recent redesignation of land directly abutting our manufacturing site from industrial to residential use. The redesignation not only threatens our ability to effectively operate at this location – it also calls into question the possibility of any future expansion and investment. That redesignation has led a local developer to apply for a zoning by-law amendment and Draft Plan of Condominium that, if approved, will lead to construction of more than 140 dwelling units within 23 separate townhouse blocks in very close proximity to our manufacturing operations – all of which raises significant concerns about the safety and wellbeing of future residents, their families, and children who will be forced to coexist with the daily activities of a nearby industrial site. In our view, such a situation is unthinkable and untenable – for both residents and our company – and we have registered our strong opposition to the rezoning effort on multiple occasions at the municipal level. We are equally concerned that land use planning policies that allow residential encroachment to constrict future business growth and place residents dangerously close to manufacturing sites will ultimately lead companies to make the difficult decision to relocate elsewhere, including leaving Canada altogether. Unfortunately, we have experienced firsthand the negative consequences of residential encroachment in other regions where SC Johnson operates and we have had to shut down or relocate our manufacturing operations as a result. Through revisions to the PPS, we believe the Government of Ontario has a timely opportunity to limit residential encroachment on existing manufacturing uses by making specific changes that will protect and preserve manufacturing uses like our Brantford operations. It is in this context that SC Johnson submits these comments and recommendations on specific areas of the proposed planning statement.

About SC Johnson

SC Johnson is a family company dedicated to innovative, high-quality products, excellence in the workplace and a long-term commitment to the environment and the communities in which it operates. Based in the United States, the company is one of the world's leading manufacturers of household cleaning products and products for home storage, air care, and pest control, as well as professional

products. A heritage of innovation and bold, transparent decisions is why our high-quality products and iconic brands – including OFF!® Raid®, Glade®, Windex®, Scrubbing Bubbles®, Ziploc®, Mrs. Meyer’s Clean Day®, method®, Autan®, Baygon®, Mr Muscle®, Duck®, Lysoform® and more – are in homes, schools and businesses in virtually every country worldwide. The 137-year-old company, which generates \$10 billion in sales, employs approximately 13,000 people globally and sells products in virtually every country around the world.

SC Johnson Canada was established in 1920 and has enjoyed a long and proud history in Canada. The company has manufacturing operations in Ontario and Québec, where we make a number of iconic SC Johnson brands that are enjoyed by families throughout Canada and around the world. Additionally, SC Johnson Professional, which makes cleaning and related products for the institutional, commercial and industrial sectors, also produces alcohol-based hand sanitizers in Ontario for the Canadian and U.S. markets.

Negative Consequences of Further Residential Encroachment

In Ontario, SC Johnson owns and operates a 320,000 square foot manufacturing facility in the City of Brantford that has seen the steady encroachment of residential development in very close proximity to its industrial site, which currently employs 250 people and operates on a nearly continuous basis. The viability of our site is now threatened by further continued residential encroachment brought on by the recent redesignation of land directly abutting our manufacturing site from industrial use to residential use. The redesignation not only threatens the viability of our operations – it most certainly calls into question the possibility of any future expansion and investment. That redesignation in the city’s Official Plan has led a local developer to apply for a zoning by-law amendment and Draft Plan of Condominium that, if approved, will lead to construction of 141 residential dwelling units within 23 separate townhouse blocks in very close proximity to our manufacturing operations – all of which raises concerns about the safety and wellbeing of future residents, their families, and children who will be forced to coexist with the daily activities of an industrial site – including issues related to noise, truck traffic, and odor. More generally speaking, putting even more people in close proximity to industrial operations is inherently dangerous – and we find it difficult to understand why the City’s Official Plan was changed in a way that would permit more residential development so close to an existing manufacturing site. Such a situation is totally incompatible – for both residents and our company – in our view, and we have registered our strong opposition to the rezoning effort on multiple occasions at the municipal level, including in statements before the Brantford Planning Committee and City Council. And we continue to express our opposition to City leaders as we pursue every reasonable means of resolving this matter at the municipal level.

Further, we have learned that when the land that directly abuts our property was redesignated, a land use compatibility study was not conducted to determine if residential uses are appropriate for the site. This omission has only heightened our concerns about the negative impact that such residential encroachment will have on our facility’s ability to operate, let alone grow and expand, and on the safety of residents and their families who will be living so near to an active industrial site. Simply put, the redesignation of the land in question from industrial to residential and the prospect of additional residential development occurring so close to our facility is deeply concerning to our ability to effectively operate at our current location and invest in the Brantford community.

Supply Chain Implications

Among the COVID-19 pandemic’s many lessons is that companies like ours must have nimble supply chains that can respond to acute disruptions or other unique circumstances – and as a result, we continuously assess and reassess our manufacturing and distribution models. Our Brantford operations started off manufacturing for the Canadian market – “made in Canada for Canada.” Over time and with implementation of the North American Free Trade Agreement (NAFTA), now known as USMCA/CUSMA, products we manufacture in Brantford supply both Canadian and U.S. markets, with the majority being sold outside of Canada. Despite changing economic conditions, we have done everything possible to

maintain manufacturing in Brantford and have thus far resisted relocating our operations to the U.S., although it would be cost effective for us to do so. The fact is, we have greatly valued being an active member of the Brantford community and we have exceptionally high regard for the people who live and work there, many of whom we proudly employ at our Brantford manufacturing site. We have taken many steps over the years to preserve employment in Brantford, at considerable cost to the company, however, our future in any community around the world is not guaranteed.

Unfortunately, this is not a new situation for our company. We have closed multiple manufacturing sites around the globe due to residential encroachment. Because of our experiences, we urge the provincial government to examine land use planning decisions through the lens of how they impact or influence certain key business decisions, like whether to invest in new technologies and build production capacity or to relocate to more favorable environments. We believe it's vitally important for land use planning policies, whether at the provincial or federal level, to thoughtfully promote business growth, manufacturing for export, and direct foreign investment. In our view, allowing relatively unchecked residential encroachment around longtime manufacturing operations sends the exact opposite message.

Because the PPS sets the policy foundation for regulating development and use of land in the province, we believe the Ontario provincial government's effort to develop an integrated province-wide land use planning document presents a timely opportunity to ensure that *Major Facilities* with manufacturing uses like ours can continue to operate free from the challenges and risks associated with increased residential encroachment. With that in mind, we offer the following targeted recommendations to improve land use compatibility near industrial sites in a manner that still supports achievement of the provincial government's ambitious housing objectives across Ontario.

Proposed 2023 Provincial Planning Statement

In April, the Ontario Government released the proposed 2023 PPS adapted from, and replacing, the Provincial Policy Statement, 2020, and Growth Plan for the Greater Golden Horseshoe, 2019, as amended (Growth Plan). It is understood that the proposed planning statement is generally intended to help address Ontario's housing crisis and to increase housing starts to reach the Province's goal of 1.5 million new homes by 2031. Through the Environmental Registry of Ontario (ERO), the Province seeks input on the proposed PPS, with comments accepted through August 4, 2023. In addition, with the population growth anticipated to occur within the City, there is also employment growth anticipated. Manufacturing companies like SC Johnson help provide jobs to City residents, as not every job is in an office setting. The proposed changes to the 2023 Provincial Policy Statement weakens the land use compatibility policies on sensitive land use in comparison to the 2020 PPS. The proposed 2023 PPS removes the requirement that the planning and development of proposed adjacent sensitive land uses are permitted only after demonstrating the following, that *"there is an identified need for the proposed use; alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations; and adverse effects to the proposed sensitive land use are minimized and mitigated."* As the 2023 PPS removes these policies, the compatibility restrictions of sensitive land uses have been weakened.

The proposed PPS also overhauls the employment protection scheme in Ontario, as it actively promotes mixed-use development where the mix of uses are compatible and protects and preserves areas that are largely industrial and manufacturing areas.

SC Johnson is pleased to see that the proposed definition of *Employment Areas* prohibits institutional uses and commercial uses unless those commercial uses are associated with primary employment uses, which include manufacturing and research and development uses. The new definition will create strict areas for heavy manufacturing types of employment, only permitting office, retail and commercial uses associated with the employment use. Areas that are considered as business parks that have permissions for a wider range of uses like office uses, or areas in business parks that contain commercial or retail

uses supportive to the employment use, would no longer be permitted. As such, the change to the definition of employment areas draws a clear distinction between commercial uses, institutional uses, and retail/office uses, that are not associated with primary employment. SC Johnson supports these changes.

However, SC Johnson has identified several areas of concern with the new PPS, which is intended to provide for increased flexibility, but will have the unintended consequence of creating more uncertainty by:

- Weakening restrictions on the conversion of Employment Lands and making it more challenging to designate Employment Lands; and,
- Reducing land use compatibility criteria for sensitive land uses near *Major Facilities*, such as SC Johnson.

Employment Conversions

The proposed PPS removes the requirement for municipalities to undertake a Municipal Comprehensive Review before removing lands from designated *Employment Areas* as defined in Official Plans. It further provides that planning authorities may remove lands from employment areas where it has been demonstrated that there is an identified need for the removal, the land is not required for the long term, the proposed uses would not negatively impact the overall viability of the *Employment Area*, and infrastructure is available to accommodate the proposed uses (including transit and servicing). The 2023 PPS does not define “long term” and it should be defined as beyond the current land use planning horizon. The City of Brantford’s Official Plan’s horizon is to the year 2051, therefore the timeframe should go beyond 2051.

This is a significant departure from both the current Provincial Policy Statement and the Growth Plan, which only permit the conversion of employment lands in the context of a municipal comprehensive review (except under limited circumstances). In contrast, the proposed PPS permits the conversion of employment lands at any time. In addition, the test for conversion is slightly relaxed, as the requirement to consider forecasted employment growth set out in the Growth Plan has been removed. Where any land use conversion is proposed, industries and residents who are located within 300-meters from the conversion should be specifically notified beyond the generic planning protocols during a municipal wide Official Plan review process.

Land Use Compatibility

Proposed PPS policy 3.5.2 (previously 1.2.6.2) relates to the protection of *Major Facilities*, like SC Johnson’s Brantford site, in proximity to sensitive lands uses and states:

“... in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that proposed adjacent sensitive land uses are only permitted if potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.”

However, this new policy removes the previously prescribed criteria. The proposed PPS reduces protections that help ensure the long term viability of *Major Facilities* by removing the following criteria currently used to determine if the sensitive use may be permitted:

- That there is an identified need for the proposed use;
- That adverse effects to the proposed sensitive land use are minimized and mitigated; and,
- That alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations.

The policy allows sensitive land uses to locate near *Major Facilities* without demonstrating whether they “should” or “need to” or demonstrating that no suitable alternative locations exist. The removal of these criteria in the PPS allows sensitive land uses to encroach upon *Major Facilities* like SC Johnson’s property because they “can” and doesn’t consider whether they “should” or “need to” – or the associated implications for existing and planned uses on adjacent lands. Furthermore, allowing sensitive land uses to abut manufacturing uses can have adverse impacts on residents’ quality of life, such as their ability to sleep due to the noise that is commonly generated by *Major Facilities*.

SC Johnson has concerns that the relaxation of these protective measures is likely to restrict and frustrate the ability of our operations to expand and/or redevelop over the long term (e.g., 20+ year horizon) to meet future demands, compete economically at a national or international level, and adjust with evolving technologies, while providing jobs to the growing population within the Province of Ontario and City of Brantford.

Conclusion

SC Johnson is very proud of its 103 years of operating history in Brantford. Our manufacturing operations have been a success in large part because of the good citizens who live and work there, many of whom we are fortunate to count as SC Johnson employees. Unfortunately, our operations are threatened by a local land use planning decision that will further increase residential encroachment on land that directly abuts our manufacturing site. At the provincial level, we are very concerned that municipal and provincial planning policies do not sufficiently protect the long-term viability of existing *Major Facilities* from residential encroachment like we are witnessing at our Brantford site. Moreover, we believe that overall, the proposed PPS provides less certainty and protection to *Employment Areas* than the current Provincial Policy Statement and Growth Plan. While we recognize there is support in government for making planning policy more housing-friendly, it cannot come at the expense of longtime businesses like ours that have contributed significantly to the Brantford and Ontario economies. Accordingly, we respectfully request the Ministry to make the changes outlined in our comments to help ensure that longtime industrial sites and *Major Facilities* are appropriately protected from residential intensification and development.

Thank you in advance for taking our views into consideration. We look forward to responding to any questions.

Respectfully submitted,



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