



"Inspiring a Healthy Environment"

August 4, 2023

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

**Re: UTRCA Comments on Proposed Provincial Planning Statement
ERO 019-6813**

The Upper Thames River Conservation Authority (UTRCA) has undertaken a review of the Environmental Registry of Ontario posting (ERO 019-6813) related to "*review of the proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument,*" alongside the draft Provincial Planning Statement document. Upper Thames River Conservation Authority staff appreciate the opportunity to provide comments on the proposed document that will guide land use planning across the Province and our watershed. We value working together to ensure liveable communities and thriving economies proceed in a safe and healthy environment under the direction of a comprehensive and integrated policy direction.

ABOUT US

The UTRCA is located in southwestern Ontario, covering a geographical area of 3,430 km² and home to approximately 600,000 people. There are 17 member municipalities within our watershed with a range of urban and rural communities including the City of London, a large and fast growing municipality identified by the Province. The predominant land use within our watershed is agriculture, occupying approximately 2/3 of the area, while urban and natural areas make up the remainder. The UTRCA collaborates with member municipalities and local counties to provide technical and planning policy review services to guide safe development and ensure consistency with the Provincial Policy Statement (2020) and other policies and guidelines. We work to ensure that planning decisions are coordinated with requirements under Section 28 of the *Conservation Authorities Act* to achieve efficient and timely approvals where permits are required for development.

CONTEXT

The UTRCA offers a variety of services to aid in sustaining a healthy environment including supporting safe development, stewardship programs, providing natural spaces, and empowering communities and youth. It is our experience that municipal partners and watershed residents place enormous value on the natural features and water resources within their communities, and hold a strong desire to see growth managed in a sustainable manner that ensures the long-term protection of our natural environment. Conservation Authority's provide valuable services to protect, improve and restore natural assets.

COMMENTS

On June 27, 2023, Conservation Ontario submitted comments to the Province on behalf of all 36 Conservation Authorities. The UTRCA endorses those comments and provides the following additional comments. As per Chapter 1, this document has been read in its' entirety.

1. Chapter 1, How to Read this Policy Statement, Provincial Guidance, pg. 3: The UTRCA supports the direction to complement the review of Provincial policy documents with guidance materials, guidelines and technical criteria. In particular, the MNR Technical Guides for Flooding and

Erosion are heavily relied upon in our industry. It is our understanding that future updates to these documents are expected and will assist in applying policies found under Section 5.1.

2. Chapter 1, Vision, pg. 4 and 5:
 - a. Paragraph 2: To be consistent across the document, we recommend updating the second paragraph to include a “safe” environment.
 - b. Paragraph 5: Complete communities represent good land use planning. To further support this idea, the UTRCA recommends including reference to the natural environment, not just recreation and public spaces.
 - c. Paragraph 6: UTRCA recommends the final sentence be revised to include “convenient and safe access to housing.
 - d. Paragraph 8: Prevention is the preferred method of addressing natural hazards. The UTRCA recommends revising to state that “the impacts of a climate change, will be avoided to the extent feasible or mitigated where other alternatives do not exist.” The principle of avoidance over mitigation is a more prudent and cost-effective means of protecting people and property. Additionally, climate change is a pressing concern for the livability of our communities and the resiliency of infrastructure.
3. Chapter 2, pg. 14 to 19: The UTRCA recommends revising the title of this chapter to include the previous language, such as “Building Homes, Sustaining Strong, Healthy and Competitive Communities.”
 - a. Policy 2.1.1: The UTRCA encourages the Province to consider the cumulative impacts of private servicing on water resources.
 - b. Policy 2.2.1 b), 2.: To remain consistent with the policies under Chapter 5, the UTRCA recommends including language that residential intensification be “safe” or “where locally appropriate” to set appropriate expectations for landowners/developers undertaking projects of this nature.
 - c. Policy 2.3.2: The UTRCA encourages the addition of “f) support safe development” to ensure consideration is given to natural hazards.
 - d. Policy 2.3.4: The UTRCA strongly recommends that settlement area changes “shall” consider the criteria provided, including the addition of “f) the applicable lands do not compromise natural heritage or natural hazard features.”
 - e. Policy 2.4.2.3 a): The UTRCA is supportive of the proposed polices that allow for the consideration to reduce density targets that may be contrary to other Provincial policies, such as natural hazards.
 - f. Policy 2.6.1 c): The UTRCA recommends that appropriate public servicing is available for new multi-lot residential development in rural areas due to the cumulative impacts on water resources that may occur as a result of numerous private systems.
 - g. Policy 2.8.1.4: The UTRCA is strongly supportive of this policy. The UTRCA recommends implementing the same or similar language as it relates to residential development as well, where risks to people and property may be greater.
4. Chapter 3, Infrastructure and Facilities, pg. 14 to 18:
 - a. Policy 3.1.4: The UTRCA is supportive of connection with policies from Chapter 5.
 - b. Policy 3.2.1: The UTRCA is supportive of including “safe” transportation systems.
 - c. Policy 3.5.1: The UTRCA is of the opinion that language could be added to strengthen that prevention/avoidance is the preferred approach when dealing with natural hazards, and minimizing or mitigating risk is the final step in the hierarchy of considerations.
 - d. Policy 3.6.1: The UTRCA is supportive of ensuring the natural environment and hazards are considered in planning for sewage and water services, as well as source protection planning.

- e. Policy 3.6.3: While the UTRCA considers the implementation of private servicing in select areas, there are concerns over using private servicing for multi-unit/lot development. As per the comments provided on Chapter 2, there are potential cumulative impacts that could result. Additionally, we recommend revising the wording to state “*to support protection of the environment and avoid potential risks to public health and safety.*”
 - f. Policy 3.6.8 d): Please consider revising to “*avoid*”, not “*minimize*” risks.
 - g. Policy 3.9.1 c): Please consider revising to include “*safe public access to shorelines*”.
 - h. Policy 3.9.1 d): Please consider revising to “*avoid*”, not “*minimize*” impacts.
5. Chapter 4, Wise Use and Management of Resources, pg. 20 to 24:
- a. Policy Section 4.1: The UTRCA strongly supports the Province’s commitment to sustaining the wellbeing of our natural features and systems by maintaining the Natural Heritage policies.
 - b. Policy 4.2.1 c): Please consider revising to “*avoid*”, not “*minimize*” potential impacts.
 - c. Policy 4.2.1: Please consider re-instating the policy relating to climate change, as it is connected to the Vision of the document, “*evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level.*”
 - d. Policy 4.2.1: Please consider re-instating the policy relating to stormwater, as it is a basic function of all forms of development and municipal servicing, “*ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.*”
 - e. Policy 4.2.2: The UTRCA recommends revising the language to state “*... will be protected, improve or restored. Alternative development approaches may be required, however where alternatives are not feasible, mitigation measures may be considered.*”
 - f. Policy 4.2.3: The UTRCA is supportive of municipalities undertaking watershed planning. Please consider adding language that speaks to working with Conservation Authorities while undertaking a project of this nature.
 - g. Policy Section 4.3: As the UTRCA watershed is largely comprised of agricultural lands, our staff work closely with this community to ensure watershed planning and applying natural hazard policies/regulations does not prevent the continued use of agricultural lands for their intended purposes. The policies currently proposed in this section of the document place a greater emphasis on residential development and sprawl within the rural area, and are contrary to allowing agricultural uses to continue for their intended purposes. While these concerns are largely based on community building concerns and agricultural protection, they connect back to the natural environment through a variety of means such as servicing, impervious/pervious surfaces, sprawl, climate change, etc.
 - h. Policy 4.3.3.1 a) 4. iv: Please consider revising to include “*safe ingress and egress,*”
 - i. Policy 4.3.3.1 a): The UTRCA is supportive of ensuring these matters address public health or safety concerns.
 - j. Policy 4.3.3.3: The UTRCA encourages the addition of “*protection of natural heritage or natural hazard lands, where the severance would result in the long-term protection of the overall natural environment system.*” The addition of this policy would align with Section 50 (3) (e) of the *Planning Act*, as it relates to Conservation Authorities acquiring land for preservation of environmentally sensitive or hazardous lands.
6. Chapter 5, Protecting Public Health and Safety, pg. 27 to 28: Overall, the UTRCA is supportive of the Province’s direction to continue protecting public health and safety.
- a. Policy 5.1.2: Please re-instate the direction from the 2020 PPS which states “*Mitigating potential risk to public health or safety, or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities and conservation authorities to work together.*”

As per the Vision of this document, climate change is a pressing concern and will require all parties/collaborators to work together to address its' impacts.

- b. Policy 5.2.1: The UTRCA encourages the addition of “*planning authorities and Conservation Authorities shall identify...*”
 - c. Policy 5.2.2 b) and Policy 5.2.3 c): The UTRCA encourages the addition of “*surface water features*”, as it captures a more comprehensive list of features that may be hazardous.
 - d. Policy 5.2.6 a): The UTRCA encourages the addition of “*additional needs housing*,” as this use is newly defined within this PPS and encompasses some of the uses already listed.
7. Chapter 6, Implementation and Interpretation, pg. 29 to 30:
- a. Policy 6.1.4: The language used in this policy is vague and subjective. The UTRCA suggests re-instating previous language such as “support strong communities, a clean and healthy environment, and the economic vitality of the Province,” etc.
 - b. Policy 6.2.1 f): The UTRCA recommends revising this wording to include “*natural and man-made hazards, including flooding, erosion and wetlands;*”

In closing, the UTRCA is of the opinion some of the changes proposed do not ensure that complete communities are designed appropriately. We recommend further consideration be given to the following areas of concern:

- Require greater focus on the impacts of a changing climate;
- Encourage greater cohesion for watershed planning, including interjurisdictional matters;
- Ensure all forms of development are designed to be safe;
- Require adequate and appropriate servicing for all new or re-development;
- Consider cumulative impacts for new or re-development, particularly in agricultural areas; and,
- Re-visit the hierarchy of avoidance, mitigation, and restoration – focusing on avoidance as the first consideration for all new or re-development.

To provide a transparent process, the UTRCA would be appreciative of receiving correspondence on how feedback was considered and either included or excluded within a revised document.

Thank you for the opportunity to comment.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



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