

October 10, 2019

Ministry of Municipal Affairs and Housing
Office of the Minister
777 Bay Street, 17th Floor
Toronto ON
M5G 2E5

Attention: Hon. Steve Clark, Minister

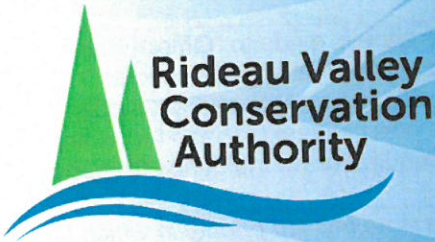
Subject: Provincial Policy Statement Proposed Changes

The Rideau Valley Conservation Authority has completed a review of the proposed changes to the Provincial Policy Statement and is pleased to submit the attached comments for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "J. Batchelor", is written over a faint, illegible printed name.

Jamie Batchelor, Planner, RVCA, MCIP, RPP
Rideau Valley Conservation Authority
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**Rideau Valley
Conservation
Authority**

Provincial Policy Statement Review — Proposed Policies

(ERO#019-0279)

Consultation Table

Questions from Posting

PPS Consultation

Question	CA Comments
Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?	<ul style="list-style-type: none"> - Within the context of the CA's mandate as per the MOA with MNR to represent the Provincial interest on Natural Hazards in Section 3.0, the Conservation Authority does not consider the proposed policies to conflict with these stated goals.
Do the proposed policies strike the right balance? Why or why not?	<ul style="list-style-type: none"> - Within the context of the CA's mandate as per the MOA with MNR to represent the Provincial interest on Natural Hazards in Section 3.0, the RVCA supports the balanced approach proposed.
How do these policies take into consideration the views of Ontario communities?	<ul style="list-style-type: none"> - Throughout our work it is apparent that our clients expect a balanced approach and the proposed PPS appears to be consistent with community expectations in this regard.
Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?	<ul style="list-style-type: none"> - Within the context of the CA's mandate as per the MOA with MNR to represent the Provincial interest on Natural Hazards in Section 3.0, the RVCA recommends further consistency with terms and definitions used between the PPS and those identified under the <i>Conservation Authorities Act</i>. Providing consistent terms and definitions will assist in the administration of the CA's mandate and will provide further transparency to the public.
Are there any other tools that are needed to help implement the proposed policies?	<ul style="list-style-type: none"> - Updates to Provincial documents which support the implementation of the PPS are required to reflect current practices and standards and to properly account for a changing climate (i.e.: Natural Hazards Guidelines, MECP's D-5-4, D-5-5 Guidelines).

Specific Comments

Provincial Policy Statement Review – Proposed Policies	
Sections	CA Comments
Part I: Preamble	<ul style="list-style-type: none"> - 5th paragraph: A reference is made to “Official Plans shall provide clear, reasonable and attainable policies...”. It is unclear what constitutes reasonable and attainable or what this means in a policy context. These terms are very subjective and may require further guidance from the Province.
Part III: How to Read the Provincial Policy Statement	<ul style="list-style-type: none"> - The sentence “<i>There is no implied priority in which the policies appear</i>” would be better suited at the beginning of Part III.
1.0 Building Strong Healthy Communities	
1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns	<ul style="list-style-type: none"> - 1.1.1 d) provides direction to avoid land use patterns that would prevent efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas. <p>Further clarification is required as to how this might impact rural severances including surplus farm severances.</p> <ul style="list-style-type: none"> - 1.1.1 i) The recognition of preparing for regional and local impacts of climate change is a very positive update to the policies. It will assist in promoting a more resilient Ontario in the face of a changing climate and associated risks. - 1.1.3.2 d) The requirement to prepare for the impacts of a changing climate is a very positive update to the policies. <p>It will be very important to have supporting Provincial documents and guidelines to support these policies.</p>
1.2 Infrastructure and Public Service Facilities	<ul style="list-style-type: none"> - 1.6.6.1 b) 2. This policy requires that planning for sewage and water services shall prepare for the impacts of a changing climate. This is a very positive step as it will ensure that sewage and water services are built with the necessary resiliency for Ontario’s long-term prosperity. - 1.6.6.1 e) provides very good clarity of the options available in areas where municipal servicing is not a feasible in the foreseeable future. - 1.6.6.4 (2nd paragraph): This policy makes reference to planning authorities “should” assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the character of rural settlement areas. <p>The term “should” implies that this is discretionary. This policy has an impact on public health and safety and therefore should be required. The RVCA recommends the term “should” be replaced with “shall”.</p> <p>While the objective of this policy is good, the implementation of it will likely be difficult. Most municipalities and counties do not have the expertise to comment or coordinate such a study.</p>

	<p>In order to implement this policy there will need to be standards or guidelines provided by the Province to ensure consistency between jurisdictions. Also, the definition of long-term in the context of this policy needs to be defined (i.e.: next 20 years, 50, 100?).</p> <ul style="list-style-type: none"> - 1.6.6.7 c) requires stormwater management to minimize erosion and changes in water balance while preparing for a changing climate. This is a very positive step and will enable municipalities to become further resilient to climate change and its associated risks to public health/safety and properties (i.e.: flooding)
<p>2.0 Wise Use and Management of Resources 2.1 Natural Heritage</p>	<ul style="list-style-type: none"> - 2.1.2 implies that the protection of the diversity of natural features in an area, and the long-term ecological function and biodiversity of natural systems to be maintained, restored or, where possible improved is discretionary using the word "should" as opposed to "shall". <p>This would appear to be in conflict with the statement in 2.1.1. which states natural features and areas shall be protected for the long term. The RVCA recommends the word "should" be replaced with "shall" for consistency with Policy 2.1.1.</p> <ul style="list-style-type: none"> - 2.1.9 indicates that nothing in Policy 2.1 is intended to limit the ability of agricultural uses to continue. While the importance of agricultural uses to continue is acknowledged, there is often confusion as to how the policy relates to the expansion of agricultural uses. <p>Further direction and clarification from the Province is required to fully understand how this Policy is meant to be interpreted for the expansion of agricultural uses into existing Provincially Significant Wetlands.</p> <ul style="list-style-type: none"> - 2.1.10 allows municipalities to manage wetlands not subject to Policy 2.1.4 and 2.1.5 in accordance with guidelines developed by the Province. <p>Clarification is required regarding the meaning of "manage" in this Policy. This Policy implies that the protection of wetlands not designated as Provincially Significant is discretionary.</p> <p>The <i>Conservation Authorities Act</i> affords all wetlands protection which would seem to conflict with this Policy. This could lead to confusion and/or delays for developments. There should be consistency between this Policy and that of the <i>Conservation Authorities Act</i>.</p>
<p>2.2 Water</p>	<ul style="list-style-type: none"> - 2.2.1 c) requires planning authorities to improve or restore the quality and quantity of water by evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level.

2.3 Agriculture	<p>This is a positive step as it is aligned with the Conservation Authority's role in watershed management.</p> <ul style="list-style-type: none"> - 2.3.5.1 gives direction to planning authorities as to where exclusions from prime agricultural areas can be considered. However, this policy does not recognize that there may be natural features which warrant exclusion from prime agricultural areas. - The RVCA recommends that natural features be excluded from prime agricultural area.
2.5 Mineral Aggregate Resources	<ul style="list-style-type: none"> - 2.5.2.2 implies that Provincially Significant Wetlands that are not within the Greenbelt Area and are north of Ecoregions 5E, 6E and 7E would be open for mineral aggregate extractions. This could be very detrimental to the overall watershed planning strategy previously identified in the PPS. <p>This policy also makes reference to mineral aggregate extraction being permitted in the natural features provided a long-term rehabilitation can demonstrate no negative impacts on the natural features or their ecological functions. This seems like an impossible goal to achieve as many mineral aggregate extraction operations are active for decades at which time any biodiversity and the ecological functions of those natural features would be significantly altered or potentially completely lost.</p> <p>The term "long-term" is not defined which leaves room for interpretation. This term should be defined.</p> <ul style="list-style-type: none"> - 2.5.3.1 should also provide for the creation, rehabilitation or enhancement of natural features as defined in the PPS which may have been altered or lost as a result of the cumulative mineral aggregate extraction operations.
3.0 Protecting Public Health and Safety	
3.1 Natural Hazards	<ul style="list-style-type: none"> - 3.1.3 recognizes that planning authorities must prepare for the impacts of a changing climate that may increase the risk associated with natural hazards. This is a very positive update and is in keeping with the mandate of the Conservation Authority as it relates to natural hazards. - 3.1.4 makes reference to minor additions. The term minor additions should be well defined. At present there is no consensus Provincially as to what a minor addition is and it is left up to each municipality to define. A well-defined term would provide clarity and consistency Province wide. - 3.1.7 sets out the criteria in which development may be permitted in a two-zone concept for flooding. <p>It may be advisable to consider the scope of development in such areas as there still is a risk. This could include policy that would avoid over development in these low risk areas.</p> <p>This policy should also take into consideration that all other options have been exhausted. In other words this</p>

	<p>policy should not be used to justify new development on vacant land, but rather be utilized only for areas where there is already established development.</p>
<p>4.0 Implementation and Interpretation</p>	<ul style="list-style-type: none"> - 4.7 makes reference to planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development. It is unclear what projects would fit this definition. These goals are better suited in regulations, legislation or a municipal administrative policy which dictate the review times of a specified application. - There is also confusion as to what would happen to other applications which had been submitted, for example, would those applications be "bumped" to the back of the queue for review in favor of certain applications?

