

Prince Edward County Field Naturalists
Comments on the proposed Provincial Planning Statement
Re: ERO 019-6813

1. Lot creation and multi-lot residential development in rural areas re section 2.6

The proposed Planning Statement encourages residential development on rural lands outside of settlement areas. Lot creation and multi-lot residential development will be permitted where site conditions are suitable for the provision of appropriate sewage and water services.

This is a radical departure from the current PPS which directs growth to settlement areas i.e., to lands that have been designated in official plans for development over the long term. From a planning perspective, it makes sense to direct residential growth, in particular large scale developments such as subdivisions into settlement areas,

From an ecosystem approach, this new policy could have disastrous consequences for Prince Edward County, both in the short and the long term. Prince Edward County's rural areas consist of over 11,000 hectares of wetlands and it has been estimated that nearly a third of the County is covered by woodland, approximately 36,000 hectares. That said, however, our natural heritage is in trouble with unrestricted clear-cutting of significant woodlands, recent changes in the Ontario Wetland Evaluation System (OWES) making it easier to develop near wetlands and residential and commercial development encroaching more and more on wildlife habitat. The County's rural areas are already a magnet for developers. This new policy that designates rural areas for residential growth is only going to make the situation worse.

We would also note that by permitting multi-lot residential development on rural lands, the Planning Statement removes the one-severance rule for rural properties we have put in our Official Plan to protect our water supply as the County is one of the most drought-prone areas in the province, and our aquifers are highly vulnerable according to Quinte Conservation.

It would be misguided to apply such a generic policy across the board with no regard whatsoever for local and regional differences.

PECFN Recommendations:

- We urge you to reconsider implementing this policy. Policies should be forward-looking. This policy puts this province back to a time when residential development could be located virtually anywhere in rural areas. If that didn't work then, it certainly isn't going to work now. Developers were not proposing high rises and subdivisions in rural areas fifty years ago.
- In the event that the government chooses to implement this policy, a way needs to be found to differentiate between low and high density residential development. High density

residential development should without exception only be permitted in settlement areas designated in official plans.

- Put at least some limits on lot severances. As is, this policy has the potential to undo in an instant years of concerted efforts in many municipalities to protect the natural environment. If the government cannot achieve its agenda of building 1.5 million new homes in the next 8 years without harming the natural environment, the solution is not to bring in new policies and regulations that will allow the environment to be harmed.
- We understand that multi-lot development will (only) be permitted where site conditions are suitable. However “where site conditions are suitable” is so open-ended that basically all site conditions seem to be suitable. For example, section 3.6.3 states that: "Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety." There would appear to be few (if any) rural areas where multi-lot residential development will not be permitted. Unbelievably, this policy would even appear to permit large scale residential developments to have private communal sewage and water services.
- Recognize that there is no one-size-fits-all policy. Certain types of residential development may be appropriate in one rural area where the exact same type of development will have serious adverse impacts on people and on the natural environment in another. For example, municipalities that have highly vulnerable aquifers should be given the option of opting out of this policy. A 2004 Groundwater Study undertaken by Quinte Conservation found that 59% of the Prince Edward County population relied on groundwater, with the majority relying on private wells. The addition of large numbers of well-users in rural areas will further strain the groundwater supply, conceivably to the tipping point where wells frequently run dry during the summer months and potentially beyond the summer months.

2. Residential Severances on Prime Ag Land re section 4.3.3

The Ontario Federation of Agriculture (OFA) has clearly opposed non-farm lot creation in prime agricultural areas since 2001. In their response to the proposed Planning Statement, the OFA is strongly opposing residential lot creation in prime agricultural areas. [Ontario Farmland Trust](#) considers that section 4.3.3, which permits the severance of three residential lots from parcels in prime agricultural areas, “poses a significant threat to the long-term viability of the agricultural sector. As it currently reads, this policy could apply to any parcel of agricultural land, regardless of its size or whether it was previously severed before January 2023. Given that there are 48,346 farms⁴ and as many as 170,000 farmland properties in Ontario⁵, the province could see anywhere from 145,038 to 510,000 lots severed from agricultural properties. Therefore, if each lot is approximately 1-acre in size, this policy alone would be responsible for removing anywhere from 1.25% to 4.3% of Ontario’s finite agricultural land base.” Ontario Farmland Trust

also notes its concerns with farmland fragmentation and significant disruptions to surrounding agricultural operations.

We would add that new policies for lot creation and multi-lot residential development in rural areas will further disrupt agricultural operations.

Ontario Farmland Trust also notes that “additional residential units on prime agricultural areas will result in an increase in water usage from underground aquifers. Three additional lots, including three additional residential units would put a significant strain on the water usage and increase the likelihood of water source issues for both the residents and the agricultural operation. . . Therefore, permitting three lot severances in prime agricultural areas will have significant implications for water availability and safety.”

PECFN Recommendation:

We urge you to reconsider implementing this policy. Besides having no merit whatsoever from an agricultural standpoint this policy will cause permanent and irreversible harm to prime agricultural land.

3. Biodiversity

We are disappointed to find only one reference to “biodiversity” in the entire Planning Statement as follows: “healthy, integrated and viable rural areas should be supported by. . .conserving biodiversity and considering the ecological benefits provided by nature.” (section 2.5(1)(g))

It’s even more disappointing that this reference is just so much smoke and mirrors. While the Planning Statement notes the importance of conserving biodiversity, its very own policies applying to rural areas will make this impossible to achieve. Rural areas are key to conserving biodiversity precisely because they are rural areas.

For these and other reasons we question the environmental qualifications of the authors of this Planning Statement.

PECFN Recommendations:

- The current PPS begins by noting that: “Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.”

This section has not been carried over into the proposed Planning Statement. This is an important section and there is no possible reason we can think of for leaving it out. We urge you to reconsider its inclusion.

- The Planning Statement clearly needs to take biodiversity more seriously. A good start would be a policy that supports the conservation of biodiversity in rural areas as opposed to promoting policies that do exactly the opposite.

4. Utilizing Minister’s Zoning Orders (MZOs) as a new planning tool

The inclusion of MZOs in the proposed Planning Statement in section 2.1(1) "Planning for People and Homes" is another radical change. MZOs are political power moves, pure and simple. However, putting MZOs in the Planning Statement tends to normalize them, making it appear they are acceptable situations and that they provide acceptable solutions – when exactly the opposite is the case, when those acceptable solutions involve undermining regional and local planning authorities and policies.

In years past, MZOs were hardly ever used. But several MZOs have recently been issued. For example, in April the City of Belleville was directed via an MZO, to sprawl its urban service boundary easterly into rural lands straddling several tributaries of the environmentally sensitive wetlands of Bell Creek. Bell Creek is a Provincially Significant Wetland.

What made people in rural Ontario upset about the former Liberal government was its’ decision to cut municipalities out of their own governance of the environment with the Green Energy Act, i.e., the ability for municipalities to determine where development is - and is not – appropriate based on informed guidance from the Province, Conservation Authorities, etc. How is what this government is doing with this Planning Statement any different than the previous government?

PECFN Recommendation:

- MZOs should not be part of this provincial planning statement and putting them in this Statement sets a dangerous precedent. The provincial government should not be using provincial policy statements in this way, i.e., as a means to support and legitimize the provincial government’s authority and prerogative to override local planning authorities and official plans.

5. Official Plans

Section 4.6 of the current PPS requires Official plans to “identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources evaluation may be required.”

It is concerning that the second part of this policy regarding evaluations to determine the significance of some natural heritage features has not been carried forward to the proposed Planning Statement.

This is very disturbing. No argument could possibly be given to justify waiving evaluations to determine the significance of natural heritage features. Once again we question the qualifications of the authors of this document. It appears that either developers or Ministry

staff with strong connections with developers, or both, have decided on which policies in the current PPS can be brought into this Planning Statement and what should be left out.

PECFN Recommendation:

- Restore section 4.6 in its entirety in the Planning Statement as follows:

The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

6. Climate Change and lack of leadership from the province

The current PPS notes that “Long-Term Economic Prosperity” for Ontario is supported by, among other things: “minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;” (1.7.1(k)). While this is not saying a lot, it at least recognizes (1) the leadership role of the Province in addressing climate change and (2) the importance of ecosystems (eg. wetlands, soil, forests) in mitigating climate change – which is something the proposed Planning Statement doesn’t do at all. In our view, the provincial government should not be let off the hook so easily, especially when it is putting forward policies that will dramatically increase CO2 emissions in the short and in the long term.

We note in this regard that the proposed Planning Statement briefly refers to risks associated with the impacts of a changing climate and mitigating these risks, but the provincial government is conveniently ignoring its own role in promoting an agenda that is closely tied to these impacts, specifically the construction of 1.5 million new homes over a short period of time. The fact is that the “building and construction sector accounts for 39% of global energy-related carbon dioxide emissions, most of which is concentrated in middle/high-income countries.”

Specifically, the proposed Planning Statement encourages new home construction in rural areas but fails to take into account the impact of construction vehicles transporting materials, bulldozers, excavators, cranes, etc. travelling back and forth, often over long distances in order to reach building sites in rural areas. Over time this could turn into thousands of trips.

After these homes are built, new rural homeowners will be forced to travel long distances in order to access amenities and services that are only offered in urban areas. Instead of finding ways to mitigate impacts of climate change, the government is putting forward policies that are setting in motion the prime conditions for CO2 emissions.

PECFN Recommendation:

- The provincial government should take responsibility for its own policies that will only exacerbate the climate emergency instead of shifting it onto municipalities to deal with.

7. Definitions in the current PPS that are not carried forward into the Planning Statement

Section 7 “Definitions” in the proposed Planning Statement does not include definitions for the following: “Adjacent Lands”; “Coastal Wetland”; “Ecological function”; “Endangered Species”; “Fish”; “Fish Habitat”; “Habitat of Endangered Species and Threatened Species”; “Natural Heritage Features and Areas”; “Natural Heritage System”; “Negative Impacts”; “Significant”; “Threatened Species”; “Valleylands”; “Wetlands”; “Wildlife Habitat”; “Woodlands”.

PECFN Recommendations:

- That when the natural heritage section is completed and posted on the Environmental Registry these definitions will be included.
- That all definitions found in the current Provincial Policy Statement are included in Part 7 of the Planning Statement.

8. Sections in the current PPS that have not been carried forward into the Planning Statement

- (1) Part IV: “Strong, liveable and healthy communities promote and enhance human health and social wellbeing, are economically and environmentally sound, and are resilient to climate change. The Province’s natural heritage resources, water resources, including the Great Lakes, agricultural resources, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fibre, minimize environmental and social impacts, provide for recreational opportunities (e.g. fishing, hunting and hiking) and meet its long-term needs.”

PECFN Recommendations:

- That the “provincial interest” be clearly stated in the proposed Planning Statement. There are a number of references in the Planning Statement to the “provincial interest” and to “provincial interests”, but the Statement is vague on details about what the provincial interest is, exactly. This is problematic, particularly when the Planning Statement requires that Official Plans identify provincial interests and that they “provide clear, reasonable and attainable policies to protect provincial interests” s. 6.1(5) and when planning authorities are being instructed to keep their official plans up-to-date in order

to protect provincial interests. Planning authorities and the public should not be left in the dark like this.

- The inclusion of Part IV in the current PPS in the proposed Planning Statement. This section states up front in clear terms that the province's key provincial interest is the wise use and management of natural heritage resources, water resources, agricultural resources, etc. It also clarifies the Provinces' responsibility to ensure that resources are managed in a sustainable way to among other things, conserve biodiversity, protect essential ecological processes and minimize environmental and social impacts.

(2) Section 1.1.4: "It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy."

PECFN Recommendation:

- The only reference to protection in the Planning Statement (other than in the Definitions section) is in the context of protecting the provincial interest. The Planning Statement should recognize the importance of leveraging rural assets and amenities while at the same time protecting the environment.

(3) Section 2.0: "Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits."

PECFN Recommendation:

- Same as above i.e. recognizing the importance of protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources.