

May 12th, 2024

MGP File: 21-3021

Provincial Land Use Plans Branch
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via email: growthplanning@ontario.ca

RE: ERO No.: 019-8462
Comments on behalf of the East Gwillimbury Whitebelt Landowners Group

Malone Given Parsons Ltd. (“MGP”) is the planning consultant for The East Gwillimbury Whitebelt Landowners Group (“EGWLG”), which represents the participating owners of the New DGA Community Area and New DGA Employment Lands (the “Whitebelt Lands”) in the Town of East Gwillimbury.

MGP has reviewed ERO File No. 019-8462, *Review of proposed policies for a new provincial planning policy instrument* on behalf of the EGWLG and is pleased to provide the following comments on the draft 2024 Provincial Planning Statement (“2024 PPS”) for the Minister’s consideration. We note that the following comments build upon and reiterate previous commentary submitted to the Minister under ERO File No. 019-6813 regarding the 2023 draft Provincial Planning Statement on behalf of the EGWLG.

The EGWLG generally agrees with the policy direction of the new Provincial Planning Statement and the rescinding of A Growth Plan for the Greater Golden Horseshoe. The duplication of policy from the former PPS and Growth Plan led to excessive delay and cumbersome study requirements of municipalities and developers in the Greater Golden Horseshoe. While some of the policies of the Growth Plan were helpful in promoting transit-supportive densities in strategic areas, many of the policies of this plan have unnecessarily restricted the supply of housing and the availability of land for development that is required to meet its growth targets.

We generally believe the simplified and consolidated policy framework of the proposed 2024 PPS is appropriate and will encourage the delivery of more housing faster while protecting other important provincial priorities. We are pleased to provide additional detailed comments on the policies of the 2024 PPS in the following sections of this letter.

Large and Fast-Growing Municipalities

The 2024 PPS proposal to differentiate between large and fast-growing municipalities and other municipalities is appropriate. The differentiation of policies is effective in providing one planning statement that can be applied province-wide without placing unnecessary or onerous requirements on smaller or slower growing municipalities. We encourage the

province to consider whether the proposed Schedule 1 appropriately includes all large and fast-growing municipalities to ensure the policy goals of the province are being met.

As expressed through our 2023 letter, the Town of East Gwillimbury was the fastest-growing municipality in Canada between 2016 and 2021, according to 2021 census data. For this reason, it is our opinion that the Town of East Gwillimbury should be recognized as a large and fast-growing municipality under Schedule 1 of the 2024 PPS.

Generate an Appropriate Housing Supply

The new PPS will be effective in generating new housing supply and appropriate housing opportunities in urban, rural, and agricultural areas. The EGWLG supports the approach of the 2024 PPS in providing general support for intensification throughout the settlement area boundary. This is essential to provide policy support for gentle-density forms of intensification in existing areas which would otherwise be prevented by anti-growth special interests.

New Policy 2.1.1 requires municipalities to base population and employment growth forecasts on Ministry of Finance 25-year projections, while 2.1.2 enables municipalities to continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning. The EGWLG strongly supports Policy 2.1.2 and believes that municipalities should base population and employment growth on Provincially prepared population/housing and employment forecasts at a minimum. Municipalities should have the option to prepare their forecasts using an updated Provincial Projections Methodology Guideline as a minimum and in a similar fashion to the Land Needs Assessment Methodology for the Greater Golden Horseshoe so that accurate and consistent forecasting can be prepared for each municipality.

The EGWLG strongly supports the removal of comprehensive reviews from the 2024 PPS and the ability of planning authorities to make decisions on settlement and employment areas at any time. Similar to proposed changes to the *Planning Act* regarding settlement areas, appeals of removal of lands from employment areas should be permitted under the 2024 PPS.

The PPS should provide clarity with respect to the delivery of affordable and attainable housing. Although recent changes to the *Development Charges Act* and *Planning Act* have provided additional guidance as to what constitutes affordable and attainable housing and where and how inclusionary zoning may be implemented, municipalities continue to impose their own form of “affordable housing” requirements which are not reflective of or conflict with provincial requirements. In addition, the PPS should clarify that additional residential units are encouraged in all single, semi-detached, and townhomes (similar to the permissions under the *Planning Act*) and that these units can provide a supply of purpose-built affordable rental housing.

Make Land Available for New Housing and Employment Opportunities

EGWLG strongly supports the broadening of opportunities to make areas available for new housing and employment opportunities; particularly, the new tools and options provided to municipalities to accommodate growth.

We are generally in support of the direction of (Policy 2.1.4) which sets out the requirement to maintain a 15-year residential land supply and maintain land with servicing capacity for a

3-year supply of residential units. It is the position of the EGWLG that this policy would be more appropriate if the aforementioned planning horizons should be increased to 20 and 5 years, respectively. It is our opinion that this revision would better recognize and address the current land supply issues throughout the Greater Golden Horseshoe. We also believe this policy would be more effective if it clarified that the supply of land and units is to be maintained for a market-based supply of units and be specific to unit type. It is as equally important to forecast for and provide the right composition of housing (by housing type), as well as an overall quantity of housing.

The EGWLG is in support of the simplified settlement area boundary expansion process provided under the 2024 PPS and the removal of the requirement for municipal comprehensive reviews. The EGWLG views these as positive policy changes that should allow municipalities to both create new settlement areas and expand existing settlement areas as needed. In order to ensure that the policy direction of the PPS can be implemented, the province must also ensure the *Planning Act* is amended to allow first-party appeals of requests to alter a settlement area boundary or establish a new settlement area. Without the ability to appeal applications respecting the same, it is anticipated that this important policy direction will only be implemented by municipalities with a growth-oriented mindset and vision, regardless of the urgent need to do so in their respective municipalities.

It is also the position of the EGWLG that the Province should allow third-party appeals where an official plan or zoning bylaw amendment would impact the development of other properties. Without this mechanism, stakeholders will not have the ability to appeal applications that impact the viability of their lands.

We support the definition of employment areas in the PPS (which reflects the definition contained in Bill 97), and the focus on protecting these areas for a concentration of more intensive industrial and manufacturing type uses, while allowing a broader range of mixed-use development on lands for employment outside of employment areas. The province should prepare an update to the D-series guidelines to update the separation requirements for sensitive uses in keeping with the updated definition from the PPS.

Provide Infrastructure to Support New Housing and Employment Opportunities

The policies of 2024 PPS should provide direction to utility providers to integrate their planning with the growth planning of municipalities, and to account for these plans in their future service planning. Moreover, utilities should be strongly encouraged to ensure that sufficient service is available in accordance with planning to support planned growth and the delivery of housing. Where required, the Province should consider legislative and policy changes to ensure that both utilities and regulators provide sufficient services for both existing and future housing to achieve municipal growth plans. To achieve this, we recommend a policy be included in the 2024 PPS that requires utility providers to plan for the provision of services in keeping with the growth projections and phasing within official plans.

In addition, municipalities should be required to prepare master plans and be held accountable for infrastructure delivery mechanisms including mandated updates of Master Servicing and Transportation Plans, Capital Budgets, and Development Charge Background Studies and Development Charge By-laws to accommodate planned growth. New Policy

3.6.1d) provides opportunities to allocate, or re-allocate, where necessary, the unused system capacity of municipal services to meet current and projected housing needs. This policy should be clarified to ensure that any applicants that have front-funded servicing infrastructure should maintain any servicing allocation assigned to them without risk of re-allocation.

Floodplain mapping and associated modelling in urban areas should be prepared to account for planned land uses and proposed growth, including stormwater management facilities and flood mitigation work in these areas. It is not appropriate to assume a no-mitigation approach to flood plain modelling in an urbanizing area. This approach should be incorporated into the policies of the 2024 PPS and in related guidance material from the province. Section 5.2 should be revised to include a requirement for planning authorities and conservation authorities to provide up-to-date floodplain mapping in a timely manner.

Policies supporting the location of trails and other passive recreation activities within hydro and gas corridors should be added to the PPS. Moreover, when trails and/or recreational opportunities can be provided in these corridors, such areas should be eligible for parkland contribution under the Planning Act.

We strongly support the policy direction to require school boards to integrate planning for schools and growth – the policies should specifically speak to the minimization of school site sizes when co-located with parks and should strongly encourage the provision of schools in mixed-use formats, including within multi-storey residential buildings.

Balance Housing with Resources

The proposed environmental protection policies should be provided in the context of a Housing First policy goal and objective and should be added to the PPS for development within settlement area boundaries. An urban lens should be provided for environmental protection in settlement areas, generally directing that preservation of features should have the objective of maintaining green infrastructure in urban areas to preserve natural functions and the protection of provincially significant features. Such policies would support the provision of housing through the efficient use of land and is to ensure housing in settlement areas takes priority over other competing policy objectives.

We believe it is important to implement modifications to the natural heritage policies to enable our industry to create healthier communities more efficiently and effectively. We will continue to work with our municipal partners to create communities that enable citizens to interact with nature in respectful and sustainable ways. To achieve these ambitious and positive outcomes, we require a degree of smart flexibility in the natural heritage policies and their implementation.

Smart flexibility will best be achieved through the two following distinct, but related changes:

- 1) Shift from the no negative impact test to a no net negative impact test for natural heritage features and associated functions; and
- 2) Formally adopt an ecological offsetting approach to allow for the selective removal of generally smaller and degraded natural heritage areas with limited functions. The

removed features would be replaced, achieving a net ecological gain (i.e., nature positive outcomes).

The current test under the PPS related to natural heritage features and functions (excluding fish habitat) is the no negative impact test. That test specifies, that a "... negative impact is degradation that threatens the health and integrity of the natural features or ecological functions". Health and integrity are not defined terms, in the PPS.

Requirements to achieve no negative impact on any aspect of natural heritage features or functions have proven to be challenging and impractical. It is likely that any development or site alteration activity will have some, often minor or immeasurable impact on one or more aspects of natural heritage features or functions.

The environmental policies could acknowledge that should municipalities choose to preserve other environmental features, such features should be treated as social elements that offer passive recreational opportunities to residents and that they would need to form part of the parkland dedication requirements under the Planning Act.

All references to draft Provincial Mapping for the Greater Golden Horseshoe should be discontinued.

Implementation and Interpretation

Including general policies for implementation and interpretation of the 2024 PPS is critical to ensuring the policy direction of the province is met. As the Planning Act currently requires that all decisions be consistent with the PPS, the purpose of Policy 6.1.7 and the province's direction to municipalities respecting updates to their official plans is unclear. Furthermore, any implementation policies in Chapter 6 should apply equally to zoning by-laws as well as official plans.

The 2024 PPS should also specify that where upper-tier municipalities have had their planning responsibilities removed, local municipalities shall be the approval authority on minor official plan amendments.

We thank you for the opportunity to provide comments on the Proposed PPS. We ask that you please consider our comments and amend the PPS accordingly.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,
Malone Given Parsons Ltd.



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cc: East Gwillimbury Whitebelt Landowners Group