



Regional Planning Commissioners of Ontario

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May 4, 2024

Ms. Hannah Evans, Assistant Deputy Minister
Mr. Sean Fraser, Assistant Deputy Minister
Mr. Caspar Hall, Assistant Deputy Minister
Ontario Ministry of Municipal Affairs and Housing
777 Bay Street
Toronto, Ontario
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Re: Response to Proposed Provincial Planning Statement (ERO Posting Number 019-8462)

Dear Colleagues:

On behalf of the Regional Planning Commissioners of Ontario (RPCO), please accept this submission to the above-noted ERO Posting. Previous RPCO submissions were made on June 5, 2023, and on August 4, 2023, which we trust you have reviewed and will continue to consider.

The proposed Provincial Planning Statement (PPS) and Bill 185 constitute sweeping changes that will profoundly affect the way planning is practiced across Ontario. The RPCO membership has made best efforts to review and respond in the extremely short timeframe provided.

RPCO is an organization whose members provide planning services and give planning advice to Councils of the largest single tier Cities and Regional municipalities, representing over 80% of Ontario's population. Our members are amongst the most senior, experienced and seasoned planning professionals in Ontario. We are fully engaged in planning matters on a daily basis across municipalities that are urban and rural; northern and southern; small town and big city. Our comments are both informed and relevant. RPCO's web site rpco.ca offers a variety of information and analysis that you may find helpful.

RPCO and all municipalities are charged with the protection of public interests in many different ways. Our comments are focused on those public interests, while we continue to respect other major influences on our Province, including open market dynamics of housing supply and demand, major Federal-level regulatory tools (like the Prime Lending Rate), and investment opportunities that can advance Ontario's economy in environmentally sustainable ways. Public interests may be more or less aligned from the perspective of sitting Governments compared to other bodies that also have public interests.

This submission highlights common themes we have heard, having direct and material bearing on the prosperity of Ontario communities, and speaking to many public interests. Our member municipalities will be making their own submissions, which may be more detailed and specific to their communities.

We offer the following comments for your consideration:

1. **Need for a Balanced Strategy for Ontarians** – RPCO appreciates the gravity of Ontario's current housing problems and are collectively committed to finding solutions. We also remain committed to protecting and where possible enhancing the natural environment, supporting local businesses, and creating an environment for attracting new business investment. Improving the social well-being of Ontarians, including matters of equity, diversity, inclusion and First Nations engagement, should be high priorities at all levels of government.
2. **A Major and Concerning Provincial Policy Shift** – Over the course of developing a new PPS and in introducing new Provincial legislation, there has been a shift from shaping community vision to more discretionary and fragmented decision-making that may well result in unintended consequences, like uncoordinated and more costly development decisions. This could create further delay, especially in building new and needed infrastructure. RPCO is concerned that in the absence of accurate forecasting for detailed geographies, infrastructure may be built to the wrong capacity and in the wrong place.

Macro-forecasting or proxies of growth are not adequate in matters requiring more precise decisions, like designing and building hard infrastructure crossing

municipal boundaries. Effective municipal and infrastructure planning requires long-range population and employment forecasts that take into account local demographic and housing trends, intensification, employment clusters, and the broader economic structure, all in order to deliver more housing and jobs to more people in more locations. Stable forecasts reviewed every 5 years after the national Census provide a consistent basis for long-range planning, offers more certainty and leads to greater clarity at OLT hearings.

3. **Engagement with Indigenous Communities**– RPCO would appreciate knowing whether the Province has or will directly engage with Indigenous Communities in matters involving the new Provincial Planning Statement and its (ongoing) implementation.
4. **Equity, Diversity and Inclusion** – The Province should consider the inclusion of more detailed policies and actions that support these matters, including participation in the Provincial planning process.
5. **Climate Change** – Ontario needs to be cognizant of and responsive to the enormous impacts of climate change. These impacts come with major financial implications. RPCO sees this as the time to collaboratively refine the strategies and tactics that will help mitigate the real effects, including losses of agricultural yields, labour productivity decreases, and the destruction of essential infrastructure.
6. **Energy Conservation, Air Quality and Climate Change** (Policy 2.9) – many of the proposed policies are aimed at “encouragement” and “consideration”. We would suggest that more directive and target-specific policies be put in place, and that Climate Change should be dealt with separately, as described in point 5 above.
7. **Potential Impacts on the Provincial Greenbelt and Other Natural Functions and Features** – Related to point 10 below, RPCO remains concerned about the potential failure of stand-alone water and sewer systems. This includes the potential for septic systems that fail and leach untreated effluent into local aquifers and surface water bodies. We understand that the Province will continue to abide by its commitment to not allow major new development in the Greenbelt. RPCO continues to advocate for the Greenbelt as an essential Provincial asset that among other things, provides essential groundwater recharge and discharge functions, generates substantial farm products as a vital part of our domestic food supply chain, and is a recreational destination for millions of Ontarians. It will also be essential to ensure that any Settlement Area Boundary Expansions do not extend into the Greenbelt.

The creation of a new PPS is also an opportunity to review aggregate-related policies pertaining to such matters as environmental impacts, land use

compatibility, interim and secondary land uses, and more timely and complete rehabilitation standards.

8. **Boundary Expansions and Development on Rural Lands** (especially Policy 2.6)– There is no longer proposed to be a requirement for Municipal Comprehensive Reviews, and municipalities would not be required to demonstrate the need for development boundary expansions. Through Bill 185, requests for boundary expansions would also be appealable by an applicant to the Ontario Land Tribunal, but the public would be precluded from being an appellant. Without limitations on the ability for developers to apply for boundary expansions, municipalities may be required to permit residential development on rural lands, outside of established serviced urban and other settlement areas. RPCO is concerned that this will lead to the widespread inefficient use of existing serviced areas and unnecessary, costly and premature expansions, and will further strain the ability of municipalities to deliver services to scattered residential areas. More to the point, there will be a further loss of agricultural land, and serious financial challenges to the ability of municipalities to deliver a range of services.

Finally, this policy shift will undermine municipal efforts to encourage infill and intensification within existing Urban Area boundaries. At a minimum, the Provincial Growth Plan’s 50% intensification target should be maintained or increased, as well as the minimum density target of 50 residents/jobs per gross hectare.

9. **Rural severances (Policies 4.3.2.5 and 4.3.3.1 c) in particular)** – Farmland severances have been a major discussion point in creation of a new PPS. In short, the farming community (e.g. Ontario Federation of Agriculture and via the County Wardens) has previously raised concerns about the removal of viable farmland from production (especially in trying to protect our domestic food chains) and incompatibilities that arise from new residential uses. RPCO would prefer to see any permission for accessory units require their being attached to an existing dwelling or contained within an existing dwelling, and the prohibition of severances to create new residential lots. A definition should also be provided for “farm consolidation”. More concise definitions of “Agricultural uses” and “Agricultural-related uses” would also assist in clarifying the Province’s intentions to contain uses to being strictly farm-related and farm-reliant.
10. **Individual Wells, Septics and Communal Water and Waste-Water systems** (Policy 3.6) – Municipalities remain very concerned that these systems can and do fail and may eventually become municipal liabilities across Ontario. Catastrophic failure could threaten the Province’s groundwater aquifers. RPCO recommends much stricter protocols if these systems are to be considered, including regulatory frameworks and better vesting of legal liability with constructors in cases of system failure. This concern is exacerbated by Policies 3.6.5 and 3.6.6, which can further enable the creation of new development on partial services.

11. **Removal of Land from Prime Agricultural Areas** – RPCO would appreciate more discussion on this matter. Widespread removal of such finite lands will especially compromise Ontario’s domestic food supply and the production of other agricultural products and services. There are also other significant environmental considerations related to such a shift, including a loss of groundwater recharge areas, creation of major heat islands, and habitat loss.
12. **Employment Lands** – RPCO would appreciate information as to what would constitute an adequate employment land supply from the Province’s perspective. We are concerned that Policy 2.8.1.4 will compromise existing employment land availability and viability, and urge the Province to reconsider this provision. Removal of land from an Employment Area should be considered only at the time of an Official Plan update and where the land is not requirement for employment uses past the planning horizon of the Official Plan.
13. **Energy Supply** (Policy 3.8). RPCO recommends much more extensive policies be included. The Province is currently involved in planning to mitigate or avoid energy supply shortages and transmission limitations. Without action, this will affect the ability of municipalities to support future development.
14. **More Shared Use of Schools** – Given the reduction in parkland facilities for Ontarians through Bill 23, RPCO suggests the Province provide direction to School Boards respecting partnerships with municipalities to create new opportunities for community programs and services. Demand will only increase as the Province plans for major population growth to 2031 and beyond.
15. **Reiterating the Critical Need for A Variety of Housing Affordability Types.** RPCO has been working to ensure a more streamlined development review process in our municipalities to support the delivery of new housing. However, supply alone will not guarantee the delivery of affordable housing to Ontarians. RPCO maintain that the PPS and associated Provincial legislation and policy need to speak directly to how housing affordability types are intended to be delivered to Ontarians. This should include consideration of large-scale public-private partnerships involving all levels of government.
16. **Employment Areas Definition** – The definition refers to “clusters”, and does not address large, single users, like warehouses, distribution centres and single user assembly operations. RPCO would appreciate clarification. Major office and stand-alone office uses should continue to be anticipated uses in Employment Areas.
17. **Natural Heritage Policies** (Policy 4.1) – We will await the release of updated policies, which could affect these comments. However, RPCO reiterates its’ strong support for environmental protection, the foundation of Ontario’s health and vitality.

18. **Watershed Planning** - RPCO is concerned with minimizing the scope of watershed planning and removing the requirement for partnership with Conservation Authorities (where applicable). Watershed and subwatershed planning must continue to inform land use planning decisions, while considering the full suite of hydrologic, ecological and human activities within the watershed, as is currently defined in the Provincial Growth Plan. Partnerships with Conservation Authorities ensure that their unique watershed expertise is integrated throughout the process.
19. **Provision of Other Definitions and Guidance** – Definitions should be provided for “equitable housing” and “near urban agriculture”. Guidance respecting student housing strategies would also be helpful, especially for “town and gown” communities.
20. **Implementation and Interpretation** – RPCO is concerned use of Policy 6.1.4 will permit the Minister to make decisions (unilaterally) that may not be in the best interests of the Province from an environmental sustainability perspective, and absent public input and debate. We maintain our preference for an open and inclusive planning system throughout Ontario. Policy 6.1.5 should retain the existing policy 4.6 that states that the Official Plan is the most important vehicle for implementing this Statement and that integrated and long-term planning is best achieved through Official Plans. Policy 6.1.9 would benefit from restoring consultation with municipalities in creating key indicators and monitoring implementation, such as in regard to Ontario Regulation 73/23.

RPCO member municipalities, and all municipalities in Ontario, have been faced with a wide range of proposed and effective Provincial changes to legislation and policy (a new PPS, and Bills 23,108,109,150,162 and 185 to name a few). These changes have been swift, and in some cases, have resulted in unintended consequences. The Province has “walked back” some of its proposed changes, creating even more instability and uncertainty, as municipalities make best efforts to fulfill their varied roles (especially as implementors of Provincial direction). We see this working environment as unsustainable and not in the best interests of Ontarians and prospective investors.

Thank you for the opportunity to provide input. We trust these comments are helpful, and we invite you to call on RPCO as a resource to help address our mutual planning challenges.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thom Hunt". The signature is fluid and cursive, with a long horizontal stroke at the end.

Thom Hunt, Chair
Regional Planning Commissioners of Ontario

cc.
RPCO Members
Association of Municipalities of Ontario