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May 7, 2024

Minister of Municipal Affairs and Housing
Provincial Land Use Plans Branch
13th Flr, 777 Bay St
Toronto, ON M7A 2J3

RE: Comments on ERO 019-8462 - Review of proposed policies for a new provincial planning policy instrument

Dear Minister;

Please accept the attached staff report GM-05-24-43 on behalf of the Grand River Conservation Authority as official comment submission for the above noted ERO posting.

We trust our submission meets requirements as described in the posting.

Yours sincerely,

A handwritten signature in black ink, appearing to be "CW".

Chris White
Chair

A handwritten signature in black ink, appearing to be "S. Lawson".

Samantha Lawson
Chief Administrative Officer

Grand River Conservation Authority

Report number: GM-05-24-43

Date: May 2, 2024

To: Ad-hoc Conservation Authorities Act Regulations Committee

Subject: ERO Posting 019-8462 – Review of proposed policies for a new provincial planning policy instrument

Recommendation:

THAT Report Number GM-05-24-24 – ERO Posting 019-8462 - Review of proposed policies for a new provincial planning policy instrument be approved and submitted to the Environmental Registry of Ontario;

AND THAT Report Number GM-05-24-24 – ERO Posting 019-8462 - Review of proposed policies for a new provincial planning policy instrument be circulated to the General Membership at the May 24, 2024 meeting to be received as information.

Summary:

On April 12, 2024, the Ministry of Municipal Affairs and Housing (MMAH) released an updated proposed Provincial Policy Statement (PPS) on the Environmental Registry of Ontario (ERO) that incorporates feedback received through previous consultation completed in June 2023. The proposal outlines the province's plan to integrate the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe into a single housing-focused province-wide land use planning policy document. If passed, the Growth Plan would be revoked in its entirety.

As outlined in Report GM-04-24-33, the deadline for submission of comments to the ERO is May 12th. Due to the commenting period timeline, staff were not able to present and receive approval of GRCA's comments from the General Membership. As such, the Board delegated approval of the comments to the Ad-hoc Conservation Authorities Act Regulations Committee on April 26, 2024.

Staff have reviewed the ERO posting and the revised draft PPS which provides a revised vision focused on "the building of more homes for all Ontarians" and incorporates a number of Growth Plan policies and definitions as well as some new policies. The updated version provides additional policies that further support increased intensification and promote a range and mix of housing options. The document includes some changes which are in line with GRCA's past recommendations such as a requirement to recognize natural heritage and water resource systems and features. However, the recommendation that watershed/subwatershed planning be required for large scale development planning such as settlement area boundary expansions was not incorporated.

The Grand River Conservation Authority (GRCA) recommends the following feedback be provided on the ERO posting:

1. That the province includes a requirement for watershed/subwatershed planning to support all settlement area boundary expansions, secondary planning and other large-scale planning projects (i.e., planning for potable water, stormwater, and wastewater systems).

Report:

On April 12, 2024, MMAH released an updated proposed PPS on the ERO (ERO Posting 019-8462) titled “Review of proposed policies for a new provincial planning policy instrument”. This posting incorporates feedback received through a previous consultation completed in spring 2023. The proposal outlines the province’s plan to integrate the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe into a single housing-focused province-wide land use planning policy document. If passed, the Growth Plan would be revoked in its entirety. The draft PPS provides a revised vision focused on “the building of more homes for all Ontarians.”

The GRCA provided comments during the initial consultation as outlined in Report GM-05-23-43. GRCA’s previous recommendations are highlighted below accompanied by a discussion of how the comments were addressed in the updated version of the PPS.

Natural Heritage

- That the province, through their review of the natural heritage sections of the Provincial Policy Statement and Growth Plan continue to recognize the importance of natural heritage and water resource features (i.e., wetlands and watercourses) and systems.

Updated PPS

The updated PPS maintains the 2020 PPS requirements for the identification of natural heritage systems in central and southern Ontario municipalities and requires that provincially significant natural heritage features and areas be protected. This is also in keeping with the requirements of the Growth Plan.

The retention of these policies is particularly important given the changes in the role of conservation authorities in the protection of wetlands in the province. Through amendments to the Conservation Authorities (CA) Act over the last couple years, conservation authorities are prohibited from commenting on any natural heritage matters under various Acts (O. Reg 596/22), including the Planning Act. The regulated area around wetlands has recently changed (O. Reg 41/24) to 30 metres for all wetlands (formerly 120 metres for provincially significant wetlands or wetlands equal to or greater than 2 hectares) and the conservation of land test/decision criteria for permitting has been removed. As such, increased responsibility now lies with municipalities to lead the management and protection of natural heritage features.

Role of CAs in Natural Hazard Management

- That the province clarifies the roles of municipalities and conservation authorities in the identification and management of hazardous lands and hazardous sites.

Updated PPS

Updated wording has been added to the PPS which require municipalities to direct development outside of hazardous lands and sites in collaboration with conservation authorities.

Although roles have not been further clarified, the new requirement to collaborate with CAs is a positive step in acknowledging the need for municipalities and CAs to work together in natural hazard planning and management.

Watershed/Subwatershed Planning

- That the document includes a requirement for watershed/subwatershed planning to support settlement area boundary expansions, secondary planning, and other large-scale planning projects (i.e., planning for potable water, stormwater, and wastewater systems).

Updated PPS

The new version requires municipalities to identify and protect water resources and features. It requires large and fast-growing municipalities and encourages others, to undertake watershed

planning in collaboration with conservation authorities. The previous version only encouraged watershed planning for all municipalities.

It also requires municipalities to plan for water and wastewater infrastructure, and waste management systems. Large and fast-growing municipalities are required to, and others encouraged to undertake watershed planning to inform planning for sewage and water services and stormwater management, including low impact development, and the protection, improvement or restoration of the quality and quantity of water.

GRCA's previous concern outlined in Report GM-05-23-43 remains. Staff recommend that an additional policy be added under Section 2.3.2 of the PPS to require subwatershed planning for new settlement areas and settlement area boundary expansions. Subwatershed planning is an important tool used to identify the most appropriate areas for new growth, including assessing alternative areas that avoid water resource and natural heritage systems as well as natural hazard areas that may be unsafe for development. This proactive approach to planning ultimately streamlines the development review process when Planning Act applications are submitted to municipalities. The result is a more seamless and less costly development application review process for applicants, municipalities and commenting agencies.

Financial Implications:

Not applicable.

Other Department Considerations:

Staff from Water Resources were consulted in the preparation of this report.

Prepared by:

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Manager of Planning and Regulations
Services

Approved by:

Samantha Lawson
Chief Administrative Officer