



Healthy watersheds for today
and tomorrow.

May 9, 2024

Via upload to the Environmental Registry of Ontario

Ms. Anna MacDonald, Director
Provincial Land Use Plans Branch
Ministry of Municipal Affairs and Housing
College Park 23rd Floor, 777 Bay Street
Toronto ON M7A 2J3

Dear Ms. MacDonald:

Subject: Central Lake Ontario Conservation Authority Comments for Consultation on Review of Proposed Policies for a New Provincial Planning Policy Instrument Environmental Registry of Ontario Notice Number 019-8462 CLOCA File# PGDP27

Regarding the above captioned matter, please find the enclosed staff report and attachments with for detailed commentary from the Central Lake Ontario Conservation Authority (CLOCA). Due to the short 30-day comment period for this proposal, it has not been possible to bring this staff report to the CLOCA Board of Directors for endorsement prior to their next meeting on May 14th. We anticipate that the Board will endorse the comments at this time and will advise of the outcome of their decision. In the meantime, please accept the attached commentary, which is provided at a staff-level. I would like to draw your attention, in particular, to the Staff Report at pp. 2 and 3 as well as the detailed responses to the ministry consultation questions at pp. 37 and 38 in this PDF file.

Please contact me if you have any questions with respect to this submission.

Yours truly,

A handwritten signature in black ink that reads "Chris Jones". The signature is written in a cursive, flowing style.

Chris Jones, MCIP, RPP
Director of Planning and Regulation
CJ/cj

Encl. CLOCA Staff Report 5881-24 and attachments

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REPORT

CENTRAL LAKE ONTARIO CONSERVATION AUTHORITY

DATE: May 14, 2024
FILE: PGDP27
S.R.: 5881-24
TO: Chair and Members, CLOCA Board of Directors
FROM: Chris Jones, Director, Planning and Regulation
SUBJECT: Provincial Consultation on Replacing Provincial Policy Statement and Growth Plan

APPROVED BY C.A.O. 

Purpose

The purpose of this report is to provide an update on a provincial land use planning policy consultation and provide commentary regarding a new proposed "Provincial Planning Statement" for submission to the province under the Environmental Bill of Rights Registry.

Background: Continued Provincial Consultation on Replacing the *Provincial Policy Statement, 2020* and *A Place to Grow, Growth Plan for the Greater Golden Horseshoe* with a new "*Provincial Planning Statement*"

On April 10, 2024, the Ministry of Municipal Affairs and Housing (MMAH) posted a notice on the Environmental Registry of Ontario releasing a revised proposed integrated province-wide land use planning policy document: the "Provincial Planning Statement" (PPS). The PPS would replace the current *Provincial Policy Statement, 2020* (PPS 2020) and *A Place to Grow*, a regional provincial plan for the Greater Golden Horseshoe, with one set of policies that apply province-wide with the stated intention of supporting "achievement of housing objectives." A previous version of the document was open for consultation in the spring and summer of 2023.

CLOCA first commented on the initial proposal in the fall of 2022 via Staff Report # 5804-22, which was endorsed by the Board of Directors at its meeting of November 22, 2022. CLOCA provided further comments on the most recent proposal via the consideration of Staff Report #5829-23 by the Board of Directors on May 16, 2023. **Attachment No. 1** to this Report contains the previous (May 2023) CLOCA detailed comments. **Attachment No. 2** contains the registry posting for full details on the current proposal. Comments are due back to the province by May 12, 2024, prior to the opportunity for consideration of this Report by the Board. Accordingly, staff have submitted this report as staff-level comments to meet the provincial deadline for commenting.

The Current Provincial Policy Statement, 2020 (PPS)

The current PPS is a comprehensive statement of the Ontario government's policies on land use planning and is issued under section 3 of the Planning Act. It applies province-wide and sets out critical basic provincial policy direction to achieve sustainable and positive outcomes from development in relation to the following policy areas for which CLOCA has a watershed-related policy or regulatory interest:

- **Protecting the environment and resources** including farmland, natural resources (e.g., wetlands and woodlands) and water; and
- **Protecting people and property** by directing development away from natural hazards – such as flood prone areas.

Municipal Councils must ensure that their decisions that affect planning matters are consistent with the PPS. CLOCA, as public commenting body, must also ensure that its comments on planning matters are consistent with the PPS within its role under the Conservation Authorities Act, as amended.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan is a provincial land use plan for the Greater Golden Horseshoe Region issued under the *Places to Grow Act, 2005*. It works with the provincial *Greenbelt Plan*, *Oak Ridges Moraine Conservation Plan*, and the *Niagara Escarpment Plan* to provide a more detailed land use policy framework than the provincial-scale PPS for where and how growth should be accommodated in the Greater Golden Horseshoe.

Critically, for the CLOCA watershed and municipalities, the Growth Plan provides essential environmental protection directions for our quickly urbanizing region. These currently include:

- managing growth including intensification targets, minimum densities for new development, integration with watershed planning and hazard management;
- water resource system and natural heritage system identification and planning;
- strong protections for key hydrologic features (i.e. wetlands and watercourses) and key natural heritage features (i.e. woodlands and Valleylands) for portions of the countryside that do not have Greenbelt Plan protections; and,
- Climate Change.

Consultation Proposal

The government is proposing to replace the PPS and Growth Plan into a new "Provincial Planning Statement," for public review and feedback, which retains *some* policy direction from the current PPS, 2020 and Growth Plan. Proposed policies are grouped under five "pillars":

- Generate an increased housing supply;
- Make land available for development;
- Provide infrastructure to support development;
- Balance housing with [resource management and environmental protection]; and
- Implementation.

An excerpt of the proposed policy text related to stormwater management, natural heritage, water, natural hazards, and the definitions sections is included in **Attachment No. 3** to this report.

Consultation Questions

To structure a response to the proposal, the ministry has set out six (6) consultation questions. The questions and staff's analysis and recommended response are included as **Attachment No. 4** to this report.

Summary Analysis and Conclusion

CLOCA's response to the consultation questions includes the following:

- Positive improvements have been made in response to previous CLOCA comments to support municipal collaboration with conservation authorities, address stormwater volumes, watershed planning and climate change;
- Recognize the Region of Durham as a large and fast-growing Municipality and allow the regional planning function to continue under the new policy framework;
- Policies supporting subwatershed planning in the context of settlement area boundary expansions should be retained from A Place to Grow to avoid potential negative impacts on natural hazards, public safety and watershed conditions;
- Support revised policies for agricultural land planning, and support for local food and agri-food network; and,
- The province needs to provide implementation guidance, technical support, defend its policies at the Ontario Land Tribunal (OLT) and commit to a stable planning policy for the next decade to provide implementation space for local planning.

RECOMMENDATION:

THAT Staff Report #5881-24 be received for information and circulated to watershed municipalities, Conservation Ontario, and adjacent conservation authorities.

Attachment 1 – CLOCA Response to Previous 2023 Consultation Questions
Attachment 2 – Environmental Registry of Ontario Posting 019-8462
Attachment 3 – Excerpt of Proposed Provincial Planning Statement
Attachment 4 – CLOCA Staff Response to 2024 Consultation Questions

Proposed Provincial Planning Policy Instrument (Provincial Planning Statement) Consultation Questions, CLOCA Responses:

What are your thoughts on the policies that have been included from the PPS and A Place to Grow in the proposed policy document, including the proposed approach to implementation?

Continued Support for Regional Municipal Planning in Durham Region:

CLOCA supports the continuation of the regional planning function in Durham Region. Regional planning is important in order to: (1) plan for the watershed scale including protections from adverse downstream impacts from flooding and erosion; (2) regional structure and urban growth boundaries for efficient development patterns and protection of watershed health in the absence of a provincial-level regional plan; (3) regional-scale natural heritage systems including regional-scale natural heritage and water resource system protections. These three core elements of regional planning should be carried forward through the Durham Region Official Plan. Accordingly, we recommend that the Regional Municipality of Durham be included as part of the proposed policy direction for Large and Fast-Growing Municipalities.

Regarding Proposed Natural Hazards Policies:

- The retention of natural hazard policy direction from PPS, 2020 is vital and supported.
- Policy 5.2.2 is a new natural hazard policy and is supported: "Planning authorities shall identify hazardous lands and hazardous sites and manage development in these areas, in accordance with provincial guidance." However, this policy should be strengthened with a relevant reference to conservation authorities. See attached proposed text modifications.
- The new defined term "wave effects" is supported.

Regarding Proposed Stormwater Management Policies:

- Policy 2.9.1 should carry forward an existing direction from PPS, 2020 to "maximize vegetation within settlement areas, where feasible."
- A critical element of stormwater management planning is minimizing stormwater volumes, which is recognized in PPS, 2020. Policy 3.6.8 c) should include this concept and direction. See attached proposed text modifications.

Regarding Proposed Water, Watershed Planning and Climate Change Policies:

- The Watershed Planning policy direction at policy 4.2.3 and associated defined terms are welcome and supported. The policy should be strengthened by: requiring Large and fast-growing municipalities to undertake watershed planning; directly referencing that a purpose of watershed planning is to prepare for the impacts of a changing climate in the policy and definition of watershed planning; and, including references to partnerships with conservation authorities. See attached proposed text modifications.

Regarding Coordination Policy

- We recommend that policy 6.2.1 contain a direct reference to conservation authorities. See attached proposed text modifications.

What are your thoughts on the proposed policy direction for large and fast-growing municipalities and other municipalities?

- The existing policy in the Growth Plan to verify the feasibility of Settlement Area Boundary Expansions with respect to avoidance of potential negative impacts on downstream natural hazards, public safety and watershed conditions is critical for safe and orderly growth for large and fast-growing municipalities (Growth Plan Policy 2.2.8.3).

- Directions that large-scale development will be supported by a stormwater management plan that is informed by a subwatershed plan or equivalent should be retained for large and fast-growing municipalities.

What are your thoughts regarding the proposed policies to generate housing supply, including an appropriate range and mix of housing options?

Not directly applicable to CLOCA's role and mandate.

What are your thoughts on the proposed policies regarding the conservation of agriculture, aggregates, natural and cultural heritage resources?

Natural heritage policy is currently outstanding. These comments can only be considered as preliminary without the ability to view the full comprehensive set of proposed policies. Protection of prime agricultural land (and likely adjacent natural heritage features and areas) will be eroded through new policy direction that allows for the creation of up to 3 new residential lots on existing parcels of land in prime agricultural areas. An assessment of the potential negative impacts for source water protection, and watershed health across the province should be clearly understood before proceeding with this type of change. The proposed policy will likely not provide for appropriate affordable housing typologies. This proposal should be reconsidered and new lot creation for residential purposes should be directed to settlement areas which are properly serviced in order to conserve prime agricultural lands in the province.

What are your thoughts on the proposed policies regarding planning for employment?

Not directly applicable to CLOCA's role and mandate.

Are there any other barriers to, or opportunities for, accelerating development and construction (e.g., federal regulations, infrastructure planning and approvals, private/public partnerships for servicing, provincial permitting, urban design guidelines, technical standards, zoning, etc.)?

- Provision of comprehensive and detailed implementation guidance is a necessity and should be provided at the time the new policy document comes into force. Draft guidance should also be subject to a consultation process prior to finalization.
- Further to the previous comment, and for example: via ERO posting no. 019-4978 from 2022, the Ministry of the Environment, Conservation and Parks identified that "Provincial guidance for integrating watershed and subwatershed planning into land use planning is out of date, current guidance is from 1993." CLOCA supports the proposed watershed planning policy directions and definitions, with modification to include subwatershed planning, as discussed above. Effective subwatershed planning with clear, direct and updated provincial guidance would support streamlining planning processes and reducing duplication and delays by providing clarity on local development process and opportunities as well as facilitating complete communities, as noted in draft provincial guidance from 2022.
- Ongoing technical support and policy implementation support specific to provincial policy directions is foundational for effective and efficient implementation. Relevant ministries should establish a system of regular information circulars and case study examples for practitioners specific to provincial policy implementation.
- Provincial technical support from ministries for policy interpretation and application should be available to the Ontario Land Tribunal as an established practice in the Tribunal's procedures and proceedings. The burden of articulating and defending provincial policy should rest with the province.
- The province should commit to no further changes to provincial land use planning policy for the next decade to provide certainty, stability, and implementation space for local land use planning to take place.

Review of proposed policies for a new provincial planning policy instrument.

ERO number

019-8462

Notice type

Policy

Act

Planning Act, R.S.O. 1990

Posted by

Ministry of Municipal Affairs and Housing

Notice stage

Proposal Updated

Proposal posted

April 12, 2024

Comment period

April 12, 2024 - May 12, 2024 (30 days) **Open**

Last updated

April 12, 2024

Update Announcement

This proposal was originally published on April 10, 2024 with the comment period ending on May 10, 2024. On April 12, 2024 the comment period was extended to May 12, 2024. This proposal notice was updated on April 12, 2024 to attach the French version of the proposed Provincial Planning Statement, 2024 that is available under "Supporting Materials" below.

This consultation closes at 11:59 p.m. on:

May 12, 2024

Proposal summary

The Ministry of Municipal Affairs and Housing (MMAH) is seeking feedback on an updated proposed Provincial Planning Statement that incorporates feedback received through the previous consultation on the proposed Provincial Planning Statement ([ERO #019-6813](#)).

On this page

1. [Proposal details](#)
2. [Supporting materials](#)
3. [Comment](#)
4. [Connect with us](#)

Proposal details

Context

The Provincial Policy Statement is issued under the Planning Act and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the Places to Grow Act, 2005. It provides a more detailed framework for where and how growth should be accommodated in the Greater Golden Horseshoe and it works with the Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan. All provincial plans are to be read in conjunction with the Provincial Policy Statement.

Under the Planning Act, planning decisions shall be consistent with policy statements such as the Provincial Policy Statement and shall conform with provincial plans like A Place to Grow.

In 2022, the province initiated a review on approaches for leveraging the housing supportive policies of the Provincial Policy Statement and A Place to Grow, removing barriers and continuing to protect the environment through a streamlined province-wide land use planning policy framework. ([ERO #019-6177](#))

The feedback received from this review contributed to the development of a proposed Provincial Planning Statement. From April 6 to August 4, 2023, the province undertook consultation on a draft of the proposed Provincial Planning Statement ([ERO #019-6813](#)) seeking input on a streamlined province-wide land use planning policy framework that incorporated the housing-focused policies of the Provincial Policy Statement, 2020 (Provincial Policy Statement) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (A Place to Grow). Through consultation, the province elicited feedback on policies grouped under five themes:

1. Generate an appropriate housing supply
2. Make land available for development
3. Provide infrastructure to support development
4. Balance housing with resources
5. Implementation

[ERO #019-6813](#) provides an overview of issues raised through the 2023 consultation.

After seeking input, the province has developed an updated proposed Provincial Planning Statement, with new and updated policies supporting increased intensification (e.g., around transit and redevelopment of low-density commercial plazas and strip malls), scoping protections for employment areas, and promoting a range and mix of housing options, including housing for students and seniors.

Proposal

Based on feedback received during the previous consultation on the proposed Provincial Planning Statement ([ERO #019-6813](#)), the province is proposing new and updated policies for feedback. The updated proposed Provincial Planning Statement consists of policies grouped under five pillars:

1. Generate increased housing supply

The proposed policies would:

- Require municipalities to provide a range and mix of housing options with an expanded definition to include multi-unit types (laneway, garden suites, low and mid-rise apartments) and typologies (affordable, multi-generational, seniors, student housing) (updated)
- Require municipalities to support general intensification (e.g., through the redevelopment of plazas and shopping malls for mixed-use residential development) (updated), and encourage municipalities to establish and implement minimum targets for intensification in built-up areas (new)
- Identify large and fast-growing municipalities and encourage them to plan for 50 people and jobs per hectare in designated growth areas (updated)
- Encourage municipalities to establish phasing strategies to align growth with infrastructure needs in designated growth areas (new)
- Direct municipalities to meet minimum density targets for all major transit station areas with encouragement to promote supportive land uses and built forms, including affordable, accessible, and equitable housing (updated)

- Require municipalities to plan for intensification on lands that are adjacent to existing and planned frequent transit corridors (new)
- Encourage all municipalities to focus growth and development in strategic growth areas to achieve higher density outcomes (updated)
 - Remove the requirement for large and fast-growing municipalities to identify and set out density targets (updated)
 - Remove direction for planning for urban growth centres, with simplified direction to plan for downtowns as strategic growth areas (updated)
 - Require municipalities to collaborate with housing service managers to ensure land use policies and housing policies are aligned, including addressing homelessness and facilitating development of a full range of housing options and affordability levels to meet local needs
- Require municipalities to establish local targets for affordable housing (updated) based on reinstated definitions for affordable housing and low and moderate income households (updated)

Require municipalities to collaborate with publicly-supported post-secondary institutions on early and integrated planning for student housing, and encourage collaboration on the development of student housing strategies (new)

During the 2023 consultations on the proposed Provincial Planning Statement, the government heard concerns from agricultural stakeholders regarding the proposed policies that would allow severances on farmland, and have proposed the following to protect agricultural viability:

- Not carry forward proposed policies permitting lot creation in prime agricultural areas (updated)
- Require municipalities to direct development to rural settlement areas, and provide more flexibility for municipalities to service residential development in rural settlement areas (updated)
- Permit more housing on farms to support farmers, farm families and farm workers without creating new lots, through enhanced policy and criteria supporting additional residential units (updated)

2. Make land available for development

The proposed policies would:

- Require municipalities to base growth forecasts on Ministry of Finance population projections (new), with transition for municipalities in the Greater Golden Horseshoe to continue to use forecasts issued by the province through Schedule 3 of A Place to Grow until more current forecasts are available to 2051, as informed by guidance provided by the province (updated)
 - Guidance for projecting population and related land requirements may be updated after finalization of the proposed Provincial Planning Statement to reflect final policy direction and considering feedback received.
- Require municipalities to plan for a minimum 20-year horizon but not more than 30 years (updated), maintain a 15-year residential land supply and maintain land with servicing capacity for a 3-year supply of residential units
- Provide a simplified and flexible approach for municipalities to undertake settlement area boundary changes at any time, with requirements for municipalities to consider additional criteria related to need for the expansion to accommodate growth, infrastructure capacity, phasing of growth, achievement of housing objectives, consideration of alternative locations to prime agricultural areas, and impacts on agricultural systems (updated)
- Permit municipalities to identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities needed to support development are planned or available (new)
- Require municipalities to plan for and protect employment areas based on a definition of employment areas that would align with the Planning Act definition of “area of employment” amended through Bill 97 but not yet proclaimed
- Require municipalities to address transition and land use compatibility between employment areas and sensitive land uses (updated)
- Discontinue provincially significant employment zones issued under A Place to Grow and require municipalities to use the policies in the proposed Provincial Planning Statement to provide protection for employment areas
- Require municipalities to protect airports from land uses that may cause a potential aviation safety hazard (updated)
- Encourage municipalities to preserve employment areas close to goods movement corridors, coordinating across administrative boundaries

- Allow municipalities to consider employment area conversions at any time to support the forms of development and job creation that suit the local context, under the condition that sufficient employment land is available to accommodate employment growth (updated)

3. Provide infrastructure to support development

The proposed policies would:

- Require municipalities to plan for water and wastewater infrastructure, and waste management systems, and require large and fast-growing municipalities, and encourage others, to undertake watershed planning (updated)
- Require all municipalities and to consider allocation or potentially reallocation of unused servicing capacity to accommodate projected needs for housing (updated)
- Require municipalities to protect corridors for major infrastructure, such as highways, transit and transmission systems and encourage municipalities to provide opportunities for the development of energy supply and storage to accommodate current and projected needs (updated)
- Require municipalities to integrate land use planning and transportation planning and encourage freight-supportive and transit-supportive development to move goods and people
- Require municipalities and school boards to integrate planning for schools with planning for growth, and promote opportunities to locate schools near parks and open space (updated)

4. Balance housing with resources

The proposed policies would:

- Require municipalities to use an agricultural systems approach (updated) and to designate specialty crop areas and prime agricultural areas
- Require municipalities to maintain minimum separation distances between livestock operations and houses
- Require municipalities in central and southern Ontario to identify natural heritage systems and require municipalities across the province to protect provincially-significant natural heritage features and areas
- Require municipalities to protect water resources and features and require large and fast-growing municipalities (updated) and encourage others, to undertake watershed planning in collaboration with conservation authorities (updated)
- Require municipalities to conserve cultural and archaeological resources, and promote proactive strategies for conserving built heritage resources
- Require municipalities to direct development outside of hazardous lands and sites in collaboration with conservation authorities (updated)
- Require municipalities to prepare for the impacts of a changing climate through land use planning, develop approaches to reduce greenhouse gas emissions, improve air quality
- Require municipalities to facilitate access to aggregate resources close to market and to protect minerals, petroleum and mineral aggregate resources

5. Implementation

The proposed policies would:

- Align with recent legislative amendments
- Require municipalities to undertake early engagement with Indigenous communities and coordinate with them on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights
- Affirm that efficient land-use patterns contribute to increased equitable access to housing in strategic growth areas (updated), employment, and transportation, and encourage municipalities to apply an equity lens on planning matters and engage stakeholders early in the process
- Encourage coordination, particularly on intermunicipal topics (updated)

The Province is also proposing an approach to implementation of the new document, if approved. These include the proposed approach to the following:

- The effective date would be the date specified under the Planning Act. To provide municipalities and other planning authorities an opportunity to understand and adapt to the policy changes, the ministry is proposing to release the final policies for a short period of time before they take effect. The Planning Act requires official plans to be revised every five years (or every ten years after a new official plan). The intention is that official plans would be updated as necessary to implement these new policies at the time of their ordinary review cycle.
- However, should the Provincial Planning Statement come into effect, decisions on land use planning matters made by planning authorities are required to be consistent.

Should the province adopt the policies, the province would consequentially revoke the Provincial Policy Statement and A Place to Grow, as well as amend regulations under the Places to Grow Act, 2005. The province is considering amending O.Reg. 311/06 (Transitional Matters – Growth Plans) to revoke sections 2.0.1, 2.1, 3, 3.1, 4. and 5.1 and O.Reg. 416/05 (Growth Plan Areas) to revoke section 2. Transition could potentially be provided for pertinent matters using a new transition regulation created under the Planning Act. A future consultation would be conducted to identify any pertinent matters.

The province welcomes your feedback on the proposed policy concepts and proposed wording in the land use policy document. When reviewing the document, some questions for consideration may include:

1. What are your overall thoughts on the updated proposed Provincial Planning Statement?
2. What are your thoughts on the ability of updated proposed policies to generate appropriate housing supply, such as: intensification policies, including the redevelopment of underutilized, low density shopping malls and plazas; major transit station area policies; housing options, rural housing and affordable housing policies; and student housing policies?
3. What are your thoughts on the ability of the updated proposed policies to make land available for development, such as: forecasting, land supply, and planning horizon policies; settlement area boundary expansions policies; and employment area planning policies?
4. What are your thoughts on updated proposed policies to provide infrastructure to support development?
5. What are your thoughts on updated proposed policies regarding the conservation and management of resources, such as requirements to use an agricultural systems approach?
6. What are your thoughts on any implementation challenges with the updated proposed Provincial Planning Statement? What are your thoughts on the proposed revocations in O.Reg. 311/06 (Transitional Matters - Growth Plans) and O.Reg. 416/05 (Growth Plan Areas)?

Relationship to Greenbelt Plan

The province is proposing a consequential administrative amendment to the Greenbelt Plan so that that policies in the current Greenbelt Plan are maintained should the Provincial Policy Statement, 2020 and A Place to Grow be revoked.

This scoped policy change would maintain the existing Greenbelt Plan standards and clarifies that the existing policy connections in the Greenbelt Plan to the Provincial Policy Statement, 2020 and A Place to Grow remain in effect.

Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies.](#)

Submit by mail

growthplanning@ontario.ca

Provincial Land Use Plans Branch

13th Flr, 777 Bay St

Toronto, ON M7A 2J3

Canada

Connect with us

Contact

growthplanning@ontario.ca

**PROPOSED
PROVINCIAL PLANNING
STATEMENT, 2024**

***(**Excerpt** of Stormwater,
Natural Heritage, Water
Natural Hazards
Policies, and
Definitions Sections)***

April 10, 2024

Environmental Registry of Ontario Posting #019-8462

Table of Contents

CHAPTER 1: INTRODUCTION	
Preamble	
Legislative Authority	
How to Read this Policy Statement	
Vision.....	
CHAPTER 2: BUILDING HOMES, SUSTAINING STRONG AND COMPETITIVE COMMUNITIES	
2.1 Planning for People and Homes.....	
2.2 Housing	
2.3 Settlement Areas and Settlement Area Boundary Expansions	
2.4 Strategic Growth Areas.....	
2.5 Rural Areas in Municipalities	
2.6 Rural Lands in Municipalities	
2.7 Territory Without Municipal Organization.....	
2.8 Employment	
2.9 Energy Conservation, Air Quality and Climate Change	
CHAPTER 3: INFRASTRUCTURE AND FACILITIES.....	
3.1 General Policies for Infrastructure and Public Service Facilities.....	
3.2 Transportation Systems.....	
3.3 Transportation and Infrastructure Corridors	
3.4 Airports, Rail and Marine Facilities	
3.5 Land Use Compatibility.....	
3.6 Sewage, Water and Stormwater.....	
3.7 Waste Management	
3.8 Energy Supply	
3.9 Public Spaces, Recreation, Parks, Trails and Open Space.....	
CHAPTER 4: WISE USE AND MANAGEMENT OF RESOURCES	
4.1 Natural Heritage	
4.2 Water.....	
4.3 Agriculture	
4.4 Minerals and Petroleum	
4.5 Mineral Aggregate Resources.....	
4.6 Cultural Heritage and Archaeology.....	
CHAPTER 5: PROTECTING PUBLIC HEALTH AND SAFETY	
5.1 General Policies for Natural and Human-Made Hazards.....	
5.2 Natural Hazards	
5.3 Human-Made Hazards	
CHAPTER 6: IMPLEMENTATION AND INTERPRETATION	
6.1 General Policies for Implementation and Interpretation.....	
6.2 Coordination.....	
7: FIGURE 1 – NATURAL HERITAGE PROTECTION LINE.....	
8: DEFINITIONS	
9: APPENDIX – SCHEDULE 1: LIST OF LARGE AND FAST GROWING MUNICIPALITIES	

Chapter 3: Infrastructure and Facilities

3.1 Sewage, Water and Stormwater

...

8. Planning for stormwater management shall:
 - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
 - b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
 - c) minimize erosion and changes in water balance including through the use of *green infrastructure*;
 - d) mitigate risks to human health, safety, property and the environment;
 - e) maximize the extent and function of vegetative and pervious surfaces;
 - f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
 - g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.
2. The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.
3. *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas, rural areas, and prime agricultural areas*.
4. *Development and site alteration* shall not be permitted in:
 - a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
 - b) *significant coastal wetlands*.
5. *Development and site alteration* shall not be permitted in:
 - a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
 - b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - d) *significant wildlife habitat*;
 - e) *significant areas of natural and scientific interest*; and
 - f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 4.1.4.b)

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

6. *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.
7. *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.
8. *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.
9. Nothing in policy 4.1 is intended to limit the ability of *agricultural uses* to continue.

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
 - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) identifying *water resource systems*;
 - d) maintaining linkages and functions of *water resource systems*;
 - e) implementing necessary restrictions on *development* and *site alteration* to:
 1. protect drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
 - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
 - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake, and *large and fast-growing municipalities* shall 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*.
4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier *large and fast-growing municipalities*, the upper-tier municipality shall undertake *watershed planning* in partnership with lower-tier municipalities, including lower-tier *large and fast-growing municipalities*.
5. All municipalities undertaking *watershed planning* are encouraged to collaborate with applicable conservation authorities.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

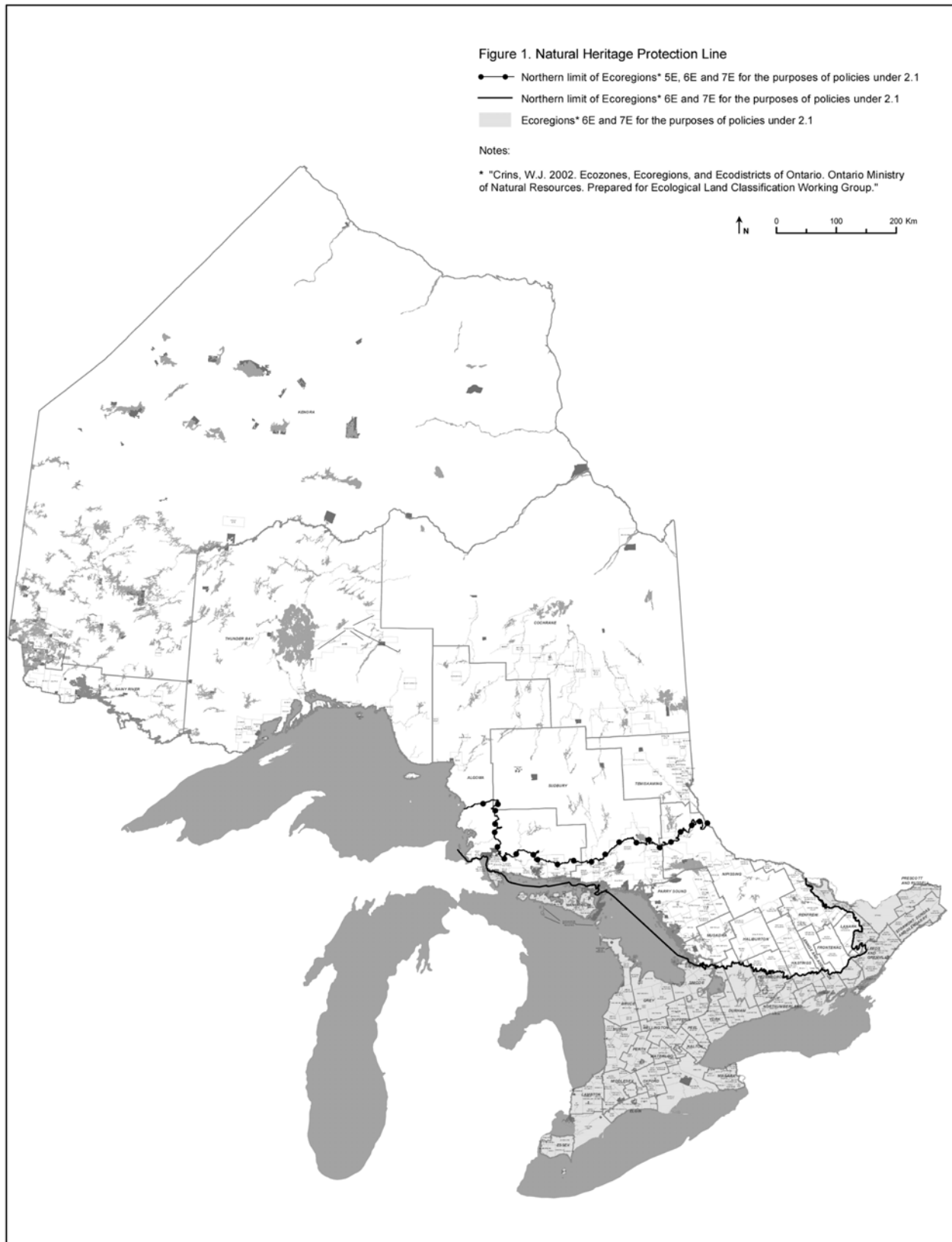
5.2 Natural Hazards

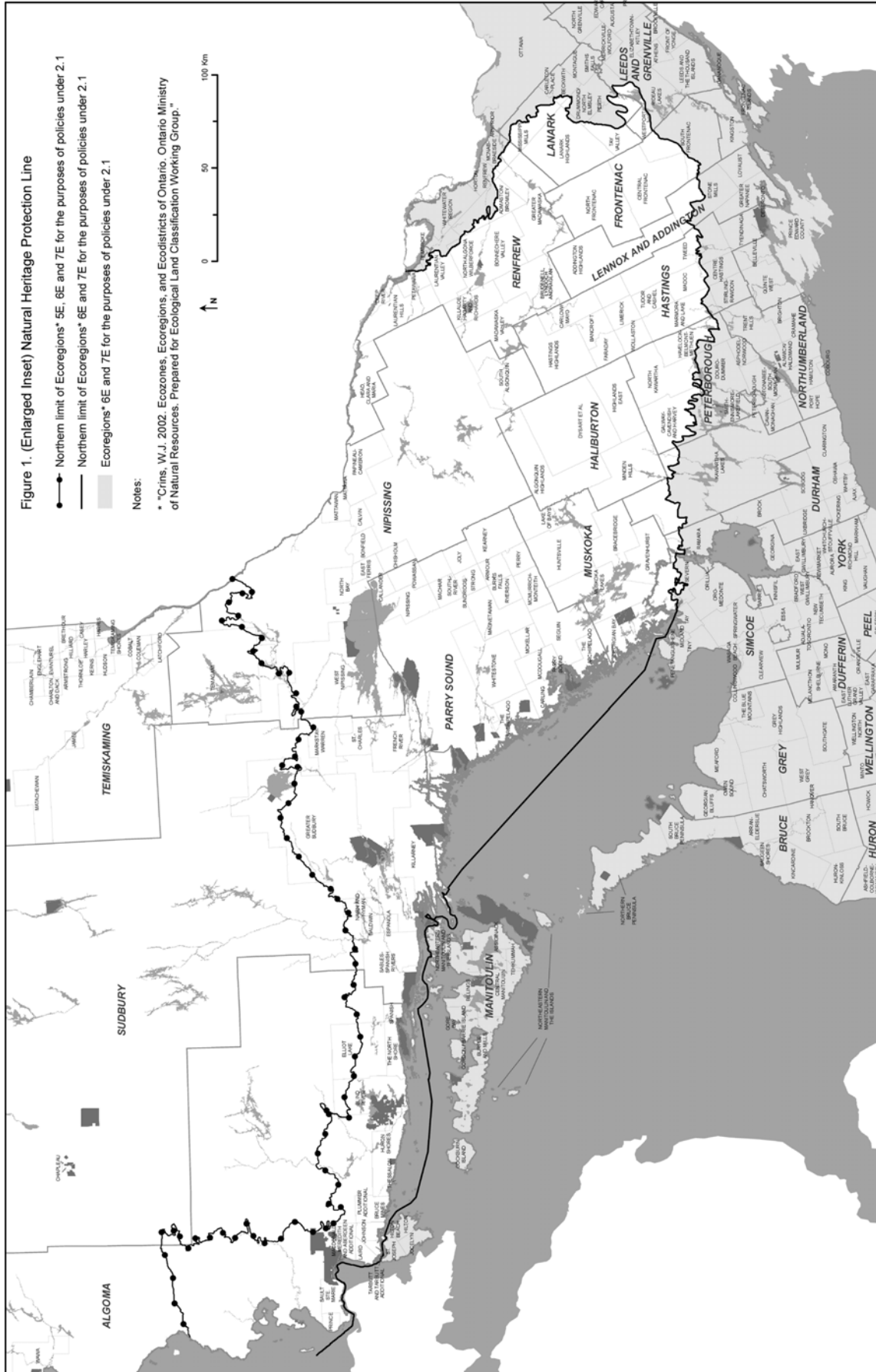
1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
 - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
 - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept for flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) *development* and *site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

7: Figure 1 – Natural Heritage Protection Line





8: Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Additional needs housing: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Adjacent lands: means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 4.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development or site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

- c) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property*.

Adverse effect: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;
- b) in the case of rental housing, the least expensive of:
 1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. a unit for which the rent is at or below the average market rent of a unit in the municipality.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

Agricultural impact assessment: means the evaluation of potential impacts of non-*agricultural uses* on agricultural lands and operations and, where applicable, the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

Agricultural system: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*. It may also include *rural lands* that help to create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Compact built form: means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Complete communities: means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

Conserved: means the identification, protection, management and use of *built heritage resources, cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval,

only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated for growth or lands added to *settlement areas* that have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 2.1.4.a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 4.1.4.a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

Endangered species: means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

Energy storage system: means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, means water frequented by *fish* and any other areas on which *fish* depend directly or indirectly to carry out their life processes,

including spawning grounds and nursery, rearing, food supply, and migration areas.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the

lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave effects* and other water-related hazards along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards along river, stream and small inland lake systems*.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Frequent transit: means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the

Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

Higher order transit: means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter or regional inter-city rail), light rail, and buses in dedicated rights-of-way.

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses, multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 5.2.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites* and underutilized shopping malls and plazas;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large and fast-growing municipalities: means municipalities identified in Schedule 1.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the municipality; or
- b) In the case of rental housing, household with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and

exfiltration systems.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Major transit station area: means the area including and around any existing or planned *higher order transit* station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.

Major trip generators: means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation:

means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae:

means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal: means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands, other coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the

Fisheries Act;

- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.
- d) in regard to policy 4.2, degradation to the *quality and quantity of water, sensitive surface water features* and *sensitive ground water features*, and their *related hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- e) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Land-extensive energy facilities, such as ground-mounted solar or battery storage are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Rural Affairs.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means property designated under Part IV or VI of the *Ontario Heritage Act*; property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*; property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property with known *archaeological resources* in accordance with Part VI of the *Ontario Heritage Act*; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and other

water-related hazards, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- a) in regard to policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b) in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Public service facilities: means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

Reserve water system capacity: means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*.

Residence surplus to an agricultural operation: means one existing habitable detached dwelling that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
- c) in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*; and
- d) in regard to *mineral potential*, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.

Criteria for determining significance for the resources identified in section c) - d) are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 4.1.4.a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Strategic growth areas: means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, existing and emerging downtowns, lands adjacent to publicly assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit service integration: means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Urban agriculture: means food production in *settlement areas*, whether it is for personal consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, greenhouses, and rooftop gardens.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Watershed planning: means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. *Watershed planning* evaluates and considers the *impacts of a changing climate on water resource systems* and is undertaken at many scales. It may inform the identification of *water resource systems*.

Water resource systems: means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), *natural heritage features and areas*, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Wave effects: means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province’s Ecological Land Classification system definition for “forest

April 2024 Proposed Provincial Planning Statement (PPS) Consultation Questions and CLOCA Staff Responses:

1. What are your overall thoughts on the updated proposed Provincial Planning Statement?

We are very pleased to see the requested change made to clearly integrate conservation authorities with respect to identification of hazardous lands and hazardous sites and the management of development in these areas in accordance with provincial guidance (Natural Hazards Policy 5.2.1)

Continued Support for Regional Municipal Planning in Durham Region:

CLOCA supports the continuation of the regional planning function in Durham Region. Regional planning is important to: (1) plan for the watershed scale including protections from adverse downstream impacts from flooding and erosion; (2) regional structure and urban growth boundaries for efficient development patterns and protection of watershed health (even more vital in the proposed absence of a provincial-level regional plan); (3) regional-scale natural heritage systems including regional-scale natural heritage and water resource system protections. These three core elements of regional planning should be carried forward through the Durham Region Official Plan. Accordingly, we recommend that the Regional Municipality of Durham be included as part of the proposed policy direction for Large and Fast-Growing Municipalities.

The replacement of A Place to Grow with the PPS, as proposed, will result in the loss of strong and consistent region-wide policy directions for water resource systems, a regional-scale natural heritage system and Greenbelt-level protections for key hydrologic features, key hydrologic areas, and key natural heritage features (especially outside of settlement areas) in the Greater Golden Horseshoe, which should be reconsidered.

2. What are your thoughts on the ability of updated proposed policies to generate appropriate housing supply, such as: intensification policies, including the redevelopment of underutilized, low density shopping malls and plazas; major transit station area policies; housing options, rural housing and affordable housing policies; and student housing policies?

Not directly applicable to CLOCA's role and mandate.

3. What are your thoughts on the ability of the updated proposed policies to make land available for development, such as: forecasting, land supply, and planning horizon policies; settlement area boundary expansions policies; and employment area planning policies?

The existing policy in A Place to Grow to verify the feasibility of Settlement Area Boundary Expansions with respect to avoidance of potential negative impacts on downstream natural hazards, public safety and watershed conditions is critical for safe and orderly growth for large and fast-growing municipalities (A Place to Grow Policy 2.2.8.3).

Directions that large-scale development will be supported by a stormwater management plan that is informed by a subwatershed plan or equivalent should be retained for large and fast-growing municipalities (A Place to Grow Policy 3.2.7.2 a), 4.2.1.4, 4.2.3.2 b), 4.2.4.5 c) viii)

4. What are your thoughts on updated proposed policies to provide infrastructure to support development?

With respect to stormwater management, we are pleased to see that the critical concept of stormwater volumes has now received direction (Stormwater Management Policy 3.6.8)

5. What are your thoughts on updated proposed policies regarding the conservation and management of resources, such as requirements to use an agricultural systems approach?

Again, we are very pleased to see that the requested change made to clearly integrate conservation authorities with respect to identification of hazardous lands and hazardous sites and the management of development in these areas in accordance with provincial guidance (Natural Hazards Policy 5.2.1)

We are very pleased to see that previous comments have been addressed with respect to integrating conservation authorities with respect to policies for Watershed Planning and in ensuring that large and fast-growing municipalities undertake watershed planning with certain upper-tier municipalities (Water Policy 4.2.3, 4.2.4 and 4.2.5). Further, the proposed definition of watershed planning has been improved, as requested, with respect to addressing impacts of a changing climate and water resource systems at many scales.

CLOCA strongly supports the protection of agricultural land and supports the proposal to require the use of an agricultural system approach, based on provincial guidance and in supporting local food and the agri-food network (Agriculture Policies 4.3.1.1 and 4.3.6.1).

6. What are your thoughts on any implementation challenges with the updated proposed Provincial Planning Statement? What are your thoughts on the proposed revocations in O.Reg. 311/06 (Transitional Matters - Growth Plans) and O.Reg. 416/05 (Growth Plan Areas)?

Provision of comprehensive and detailed implementation guidance is a necessity and should be provided at the time the new policy document comes into force. Draft guidance should also be subject to a consultation process prior to finalization.

Further to the previous comment, and for example: via ERO posting no. 019-4978 from 2022, the Ministry of the Environment, Conservation and Parks identified that "Provincial guidance for integrating watershed and subwatershed planning into land use planning is out of date, current guidance is from 1993." CLOCA supports the proposed watershed planning policy directions and definitions, with modification to include subwatershed planning, as discussed above. Effective watershed and subwatershed planning with clear, direct, and updated provincial guidance would support streamlining planning processes and reducing duplication and delays by providing clarity on local development process and opportunities as well as facilitating complete communities, as noted in draft provincial guidance from 2022.

Ongoing technical support and policy implementation support specific to provincial policy directions is foundational for effective and efficient implementation. Relevant ministries should establish a system of regular information circulars and case study examples for practitioners specific to provincial policy implementation.

Provincial technical support from ministries for policy interpretation and application should be available to the Ontario Land Tribunal as an established practice in the Tribunal's procedures and proceedings. The burden of articulating and defending provincial policy should rest with the province.

The province should commit to no further changes to provincial land use planning policy for the next decade to provide certainty, stability, and implementation space for local land use planning to take place.

With respect to the proposed revocations of regulations made under the Places to Grow Act, 2005, CLOCA supports effective land use planning and resource management, including regional planning at the provincial and upper-tier municipal level. The proposed revocations should be reconsidered.