

May 10, 2024

The Honourable Premier Doug Ford and Minister Paul Calandra.
Queen's Park
Legislative Building
Toronto, Ontario
M7Z 1A1

Premier Doug Ford, Minister Paul Calandra, and Members of the Legislative Assembly of Ontario,

We, the undersigned Waterloo Region organizations and individuals, urge you not to enact Bill 185 and the proposed changes to the Provincial Planning Statement (PPS) without modifications to address our unique context for land use planning and environmental protection. As they currently stand, the changes your government proposes could cause irreparable harm to our communities and will hinder, not facilitate, the construction of new housing to address the housing crisis.

Waterloo Region has been a key driver of the provincial economy and our success is integral to the health and economic success of the entire province. However, our regional structure, physical inland location, and dependence on groundwater presents unique challenges that have to be carefully addressed.

Unlike most other Ontario cities and communities, we have no Greenbelt protections and no freshwater pipelines to the Great Lakes. We are totally dependent on living within the carrying capacity of our watersheds and in response to this reality, Waterloo Region has developed robust planning processes, tools and environmental protections that safely balance smart growth, preserving farmland, and protecting essential groundwater recharge areas. Regional planning has been central to achieving the needed balance.

We hope you will carefully consider the concerns we outline below. We are confident that if you understand our region's unique situation you will see the need to modify the legislative and policy changes the provincial government has tabled.

1. The Region of Waterloo is a facilitator – not an inhibitor — for urban development.

For over five decades, the Region has fostered collaboration and cooperation between all of our lower-tier municipalities to achieve coordinated urban development. This is fundamental for the efficient use of scarce resources such as available water and sewage capacity, transportation infrastructure, services, engineering, hydrology, and planning, to achieve visionary growth management. Regional Coordination has ensured that our phenomenal economic and population growth happens in ways that allow us to meet the infrastructure and

service needs of our hundreds of thousands of citizens, along with our world-leading organizations, institutions, and businesses. It has also been central for most of the environmental protections we depend on to protect our water and groundwater aquifer recharge areas. As such, the removal of Planning Authority from the Region of Waterloo, as cited in Schedule 12 of Bill 185, would have far-reaching negative consequences.

One of the most fundamental characteristics that sets us apart from other regional urban municipalities in the province is that, despite numerous requests and appeals, the Region of Waterloo was left out of the provincial Greenbelt. Without Greenbelt protections, we were nevertheless assigned the same significant growth targets as most GTA municipalities. In order to balance this significant development with the protection of valuable farmland and ecosystem services, the Region of Waterloo and member municipalities developed a series of protective measures. These include our visionary Countryside Line policy, our Protected Countryside designation on the essential Waterloo Moraine, our Environmentally Sensitive Landscapes (ESLs) protecting watershed ecosystems, and wellhead Source Water Protection areas.

What will the removal of regional planning authority mean for the rational coordination of urban development and for these vital environmental and water protection measures? There is no clear answer to this question, but we can only predict that the fragmentation of planning authority will put everything we have achieved in jeopardy. There would now be seven different municipalities, with very different planning departments—none of which would have the capacity and resources of our current Waterloo Region planning department—all trying to oversee a myriad of areas and policies. We foresee inconsistencies, erosion of environmental and farmland protections, and a lack of coordination to ensure availability of water, sewage, roads, and other infrastructure.

To better illustrate the valuable role of regional planning, consider more closely the challenging water and resource sharing/allocations our communities must manage. As one example, all water needs for the rapidly growing town of Elmira, in Woolwich Township, have to be met by water coming from the City of Kitchener, through pumping stations and infrastructure spanning the entire City of Waterloo. Water for Breslau similarly goes through three different municipalities. Turning to the other end of the pipe, sewage from Cambridge goes to Kitchener and sewage from parts of Woolwich Township goes to the City of Waterloo. Furthermore, our shared groundwater sources require coordinated conservation efforts, for example with lawn watering and other restrictions enforced across the region to ensure adequate supplies.

Eliminating regional coordinating authority to put all planning in the hands of seven very different lower-tier municipalities, with little incentive for cooperation and the potential for increasing competition over scarce resources, is a recipe for disaster. Removing regional authority won't speed up the construction of more housing. Instead, it will significantly *inhibit* development, both by raising infrastructure costs as efficiencies are lost, and by endangering the water resources that could become an absolute limiting factor for our urban growth.

2. We need simplicity, not complexity.

For decades, Waterloo Region has led the world by successfully growing our cities and communities at one of the fastest rates in North America. The Region of Waterloo should be a model for Ontario – not something to be dismantled and destroyed.

Your government has undertaken Bill 185 and the changes to the Provincial Planning Statement in the name of eliminating “red tape”. We submit to you that Waterloo Region planning authority is *not* a source of bureaucratic delays for urban development and the construction of much-needed housing. Rather, it is the appropriate level of authority to realize *coordinated, efficient, and sustainable* urban development.

Putting planning authority at the regional level of government has allowed Waterloo Region to manage the complexity of urban growth. It has in fact *simplified* the challenge of realizing growth in ways which manage and protect our scarce water, infrastructure and farmland resources. The proposed changes in Bill 185 and the Provincial Planning Statement will make everything more complex, introduce new uncertainties for developers, and potentially lead to shortfalls in the provision of water, sewage, and infrastructure.

3. Potential Solutions

We would like to offer some potential options that would address our serious concerns about Schedule 12 of Bill 185 and the loss of Planning Authority for the Region of Waterloo.

- 1) **Retain Planning Authority.** Ideally, Planning Authority would be retained by the Region of Waterloo, since our current systems are efficient and working well with plans to deliver far more housing by 2031 than provincial housing targets require.
- 2) **Greenbelt Expansion.** If we do lose regional environmental protections, we submit that the provincial Greenbelt must be extended to protect the Waterloo Moraine and our essential groundwater recharge areas, much like the Oak Ridges Moraine was protected by the Mike Harris Conservative government in the 1990’s to protect over 100 headwater areas and drinking water sources for hundreds of thousands of peoples.
- 3) **Creative Delegated Planning.** Alternatively, the Region of Waterloo could retain overall Planning Coordination and a Regional Official Plan, while Planning Approval Authority could be delegated to lower-tier municipalities to be more independent, provided approvals are in conformity to the overarching Regional Plan.

Additional Bill 185 Issues and Comments

While the removal of Planning Authority from the Region of Waterloo is by far our biggest concern, there are other serious issues with Bill 185, such as the loss of Third Party Appeal Rights, removal of Pre-Consultation Requirements, and facilitating developer appeals to Official Plans. We have outlined these issues and potential solutions in an attached table.

Beside our concerns, we would also like to recognize positive changes promised by some sections of Bill 185. Restoring development charges to cash-strapped municipalities is a great move. Allowing some unbuilt approvals to lapse is also a positive measure. Finally, it is also fantastic to see the removal of parking minimums in major transit station areas. Thank you!

Provincial Planning System Update Concerns

While our focus has been on Bill 185, proposed changes to the Provincial Planning Statement could have just as serious negative consequences for our drinking water, farmland, and groundwater recharge areas that our Waterloo Region communities are totally dependent on. In the attached table, we have outlined these issues, such as the elimination of intensification targets, the elimination of density targets, settlement area boundary expansion being permitted anytime and with few limitations, more development being targeted inefficiently to rural areas, and the extremely troubling proposal to allow two additional residences on every farm—further threatening the integrity of our agricultural system through fragmentation. Our potential solutions are also outlined in the attached table.

In Conclusion

We are not alone in these concerns. We stand in solidarity with the peoples and governments of other regions across Ontario who are expressing similar concerns in response to the proposed Bill 185 and PPS changes. While the impacts may be different in each region and municipality, we share common concerns over the sweeping impacts, lack of consultation, and vague language in Bill 185 and the PPS, as well as the potential undoing of strong environmental protections.

Environmental protections are not just “red tape”. We depend on our farmland, our fresh water, and on the other ecological services provided by our unbuilt landscapes. Furthermore, the regional planning processes that have been carefully designed over decades should not be seen as barriers to building much needed homes. Instead, our regional government plays a vital role facilitating development and new housing while balancing the protection of our critical water supply. We look forward to continuing to work collaboratively to identify opportunities beyond the hundreds of thousands of units already planned in our Regional Official Plan.

Please reach out anytime with questions or ideas.

Sincerely the undersigned Waterloo Region community groups and organizations:

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Founding Member



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Marit Stiles, Leader of the Official Opposition of Ontario
Bonnie Crombie, Leader of the Ontario Liberal Party
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Bill 185 Issues That Need To Be Addressed:

Problem	Issues	Solution
Removal of Planning Authority has serious negative consequences for the Region of Waterloo that threaten the health, safety and well-being of all our citizens.	Because of our complex water and sewage situations, dependency on Regional environmental protections, lack of Greenbelt protection, lack of pipelines to other water sources, and having to live within the carrying capacity of our local watersheds we require highly integrated regional planning and oversight.	<p>A) Retain Regional Planning Authority for Waterloo Region because of our unique challenges and needs.</p> <p>B) Retain Regional Official Plans and Overall Coordination by the Region of Waterloo while delegating local approvals and Planning Authority to lower tier municipalities.</p> <p>C) Expand provincial Greenbelt to Waterloo Moraine and Protected Countryside designation to provide required protection to Waterloo Moraine, essential farmland, primary groundwater recharge areas.</p>
Removal of Third Party Appeal Rights	Facilitates urban sprawl and limits ability to protect essential groundwater recharge areas from development, aggregates, etc.	Maintain and encourage third party appeals.
Removal of Pre-Consultation Requirements	Results in incomplete development applications, longer approval times, inefficiency and delay in getting needed homes built.	Ensure pre-consultation requirements are kept in place at each municipality.

Proposed Provincial Planning Statement Issues That Need To Be Addressed:

Problem	Issues	Solution
Greenfield Intensity Targets are only encouraged - no longer mandatory and only apply for select large municipalities.	Greenfield Intensity targets are important for efficiency, economical infrastructure and farmland preservation. The lack of targets will not build more housing and could dramatically increase the cost of new housing.	Maintain or even increase existing Greenfield Intensity Targets to ensure as many new homes are built as efficiently and economically as possible.
No intensification targets mandating significant growth be directed to existing built up areas.	Transit and many other services need specific densities to be efficient or successful. Without intensification targets for our existing communities there is inefficient use of lands, increased farmland loss and increased costs to everyone reducing the number of homes that can be built and affordability.	Waterloo Region has set an intensification target of over 60% - a number many municipalities claim is impossible to achieve however, we are currently achieving well over 70% intensification easily. Require and raise intensification targets across Ontario to ensure a maximum amount of new housing is build as efficiently and economically as possible.
Urban Settlement Boundary Expansion would be allowed at any time.	Boundaries become meaningless and ineffective resulting in significant farmland loss and sprawling communities. Municipalities will find Master Planning extremely difficult in constantly changing situations resulting in inefficiencies, waste and significant costs.	Urban Settlement Boundaries should be fixed and only allowed very limited expansion during Municipal Comprehensive Review processes every 5 or 10 years.
Residential subdivisions allowed on rural lands.	Encourages irreversible farmland loss and distant, scattered, inefficient settlements with only partial	Continue to prohibit residential development on rural lands, encourage

	services and needs. Expensive, inefficient and extremely difficult for municipalities to service effectively or economically.	complete, compact, affordable communities.
Encourages private and partial sewer and water services in rural areas.	Expensive, inefficient rural systems have proven extremely problematic, dangerous and tremendously expensive to remedy in the past.	Continue to discourage and prohibit private, partial and communal sewer and water services in rural areas or even built-up areas.
Two additional residences permitted on every farm.	Similar to the horrific recent proposal to allow up to four severances on every farm, additional residences fracture farmland and negatively impact essential agricultural operations while providing very limited, expensive and challenging housing solutions.	Prohibit additional dwelling units on farms that aren't related to agricultural operations and ensure that farming isn't compromised by development.
Loss of Agricultural System and Natural Heritage Systems for Greater Golden Horseshoe.	Loss of the extensive Agricultural System and the Natural Heritage Systems results in further degradation of water, farmland and natural areas. Removes opportunity for remediation and improvements.	Continue and improve the Agricultural System and the NHS System across Ontario.