

Grand River Conservation Authority

Report number: GM-12-22-104

Date: December 16, 2022

To: Members of the Grand River Conservation Authority

Subject: ERO No. 019-6177- Review of a Place to Grow and the Provincial Policy Statement

Recommendation:

THAT Report Number GM-12-22-104 – ERO No. 019-6177- Review of a Place to Grow and the Provincial Policy Statement be approved and submitted to the Environmental Registry of Ontario.

Summary:

On October 25, 2022 the Ministry of Municipal Affairs and Housing (MMAH) posted a proposal on the Environmental Registry of Ontario (ERO) titled 'Review of a Place to Grow and the Provincial Policy Statement'. This proposal is seeking input on how to create a streamlined province-wide land use planning policy framework that enables municipalities to approve housing faster and increase housing supply.

The government is proposing to replace the Provincial Policy Statement (PPS) and A Place to Grow (Growth Plan) by combining them into one planning policy instrument that would apply to the entire province. The new policy instrument is proposed to include the protection of natural heritage, water resources and public health and safety however, the nature and extent of land use policy changes that are being proposed are not clearly known at this time. The proposal, if passed, would result in sweeping changes to the planning system in Ontario.

The Grand River Conservation Authority (GRCA) recommends the following:

1. The proposal includes the Environment and Natural Resources as a core element in the new province-wide policy instrument. It is important that any future planning policy instrument maintains recognition for the importance of natural heritage protection and acknowledges the significance of the larger Natural Heritage System. It will also be important that Water Resources be included as a Core Element given the interrelated nature of ecological and hydrologic systems.
2. Streamlining the review of Official Plan Amendments that are related to Special Policy Areas would help accelerate municipal approvals. Specifically, the current process requires Provincial approvals, in addition to Conservation Authority and Municipal approval, which lengthens the review process. The Province has delegated the review of natural hazards planning to Conservation Authorities. The additional Provincial review of the same information, without the local context or watershed specific technical expertise in floodplain management, has the potential to cause a delay in the approval process.

Considering the number of changes proposed and the significance of these changes, the GRCA requests that the Province re-engage with the Conservation Authority Working Group (CAWG) to provide advice, support, and guidance on the development and creation of implementation tools related to the Environment and Natural Resources tier of the new province-wide policy framework.

Report:

On October 25, 2022, the Ministry of Municipal Affairs and Housing (MMAH) posted a proposal on the Environmental Registry of Ontario (ERO) titled 'Review of a Place to Grow and the Provincial Policy Statement'. This proposal is seeking input on how to create a streamlined province-wide land use planning policy framework that enables municipalities to approve housing faster and increase housing supply.

The Provincial Policy Statement (PPS) is issued under Section 3 of the *Planning Act* and is the foundational land use planning policy document for the province. A Place to Grow (Growth Plan) is a policy-based plan issued under the *Places to Grow Act, 2005*, and provides more prescriptive policies on where and how growth should occur in the Greater Golden Horseshoe. Under the *Planning Act*, all planning decisions must be consistent with the PPS and conform to provincial plans like the Growth Plan.

The government is proposing to replace the PPS and Growth Plan by combining them into one planning policy instrument that would apply to the entire province. The stated intent of this change is to enable municipalities to accelerate the development of housing through streamlining. The new policy instrument is proposed to include the protection of natural heritage, water resources and public health and safety however, the nature and extent of land use policy changes that are being proposed are not clearly known at this time.

The following are recommendations related to areas of key concern presented in the ERO proposal:

- 1. GRCA Comment:** *Staff are supportive of the inclusion of Environment and Natural Resources as a core element in the new province-wide policy instrument. However, it is recommended that Water Resources should also be included as a Core Element under this tier.*

In this proposal, the Province identifies a number of core elements that are to be included in the new province-wide policy. Included in this new policy is a section on Natural Heritage and Natural Hazards, within the core element of Environment and Natural Resources.

Recommendation (Natural Heritage/Water Resources):

It is recommended that any future planning policy instrument maintains recognition of the importance of natural heritage protection. Features such as wetlands and watercourses should be considered natural assets that contribute to the economic and social well-being of communities. For example, wetlands provide a multitude of benefits such as flood amelioration, water quality improvements and outdoor recreation opportunities, all of which contribute to a stable economy and overall community health.

It is important to note the value of not only the features themselves but also the larger Natural Heritage Systems of which they are a part. These natural systems are not contained within political boundaries. As a result, when reviewing development applications for the removal and/or offsetting of these features and their functions within one municipality there can be impacts on Natural Heritage and Water Resource Systems in another municipality. This approach to development review undermines the importance of planning at a watershed scale.

Given the interrelated nature of ecological and hydrologic systems, it is also recommended that Water Resources should also be included as a Core Element under the *Environment and Natural Resources* tier of this review by the province. Watershed (and subwatershed) planning is an appropriate scale for integrated, cross-municipal planning to consider cumulative effects, protect water resource systems and watershed health, and inform urban area expansions and master planning for drinking water, stormwater and wastewater services.

Recommendation (Natural Hazards):

The PPS contains natural hazard policy direction that should be carried forward to any future planning policy instrument. Policies related to One Zone, Two Zone and Special Policy Areas should remain as they offer flexibility to existing development and planning for future development can be assessed based on the level of risk, while also balancing local growth needs. Given the changing climate, directions in the PPS to “prepare for the impacts of a changing climate that may increase the risk associated with natural hazards” should be also carried forward to any new planning policy instrument.

It would be prudent for the Province to consult with the CA Working Group (CAWG) to discuss any proposed changes to the natural hazard policies of the PPS. CAs provide valuable, on-the-ground expertise and technical experience that would assist in the development of any new natural hazard policies. In order to make a new planning policy instrument implementable, the province should work with CAWG to make updates to the associated technical guidance. For example, the technical guidelines for natural hazards (Technical Guide River & Stream Systems: Flooding Hazard Limit, 2002 and Technical Guide River & Stream Systems: Erosion Hazard Limit, 2002) are now twenty years old and should be updated to better reflect new science and acknowledge the changing climate. Updates to the technical guidance and any new planning policy instrument should be consulted on concurrently.

2. GRCA Comment: *One of the core elements of the new policy instrument is Attainable Housing Supply and Mix; which includes policy direction that enables municipalities to readily identify centers for urban growth as focal points for intensification. The GRCA recommends a review of the PPS and Growth Plan policies relating to Special Policy Areas (floodplain policies) should be included in this review, in particular as they relate to Urban Growth Centres.*

The Growth Plan encourages intensified development in Urban Growth Centres (UGC), yet contrarily, the PPS and other Growth Plan policies limit the amount of growth. Within Special Policy Areas, increases in density/intensification are not permitted and proposed changes to land use (i.e. residential, employment or commercial) need to be approved by the province. The following policies apply and should be reviewed within this context.

Recommendation:

Planning Act applications for development within SPAs are currently reviewed by municipalities and CAs. In the event that an Official Plan Amendment is required to increase the density of a site to support new housing, additional approvals are also required by the province (MAH and MNRF). This is outlined in Appendix 5 of Technical Guide - River & Stream Systems: Flooding Hazard Limit (2009 update) for approval of new SPAs and modifications to existing SPAs. This approach has the potential to create delays in the development review and approvals process for development in existing SPAs and is a duplication of efforts.

Municipalities and CAs already review these applications for risks to public health and safety in conformity with provincial policy and technical criteria. Therefore, it is recommended that the province reassess the need for provincial approvals on individual Official Plan Amendments where changes to land use through SPA policy amendments within UGCs are being contemplated. This would further streamline the development approvals process and enable municipalities that have a local context to better plan for housing supply within their UGCs/SPAs.

Considering the number of changes proposed and the significance of these changes, the Province should re-engage the CAWG to provide advice, support, and guidance on the development and creation of implementation tools related to the Environmental and Natural resource tier of the new province-wide policy framework. From 2021-2022, the Ministry of

Environment, Conservation and Parks led a multi-stakeholder CAWG to guide the implementation of earlier legislative changes to CA business. This group included representatives from CAs, municipalities, the development industry and the agricultural sector. The working group worked closely with the Ministry to provide advice on the proposed regulations, guidelines and policies that impact conservation authorities and their participating municipalities.

Financial Implications:

N/A

Other Department Considerations:

The Land Management and Water Management divisions were consulted in the preparation of these comments.

Prepared by:

Melissa Larion
Supervisor of Resource Planning

Approved by:

Samantha Lawson
Chief Administrative Officer