



February 28, 2019
Charles O'Hara
Ontario Growth Secretariat
Ministry of Municipal Affairs
777 Bay Street
c/o Business Management Division, 17th Floor
Toronto, ON M5G 2E5

Re: Conservation Ontario's Comments on the "Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017" (ERO #013-4504)

Thank you for the opportunity to provide written comments on the "Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe". Conservation Ontario is the network of Ontario's 36 conservation authorities (CAs). Conservation Ontario appreciated the opportunity to participate in the Stakeholder Exchange on Proposed Changes to the Growth Plan on February 11th and the North Regional Roundtable on February 21st. It is understood and valued that conservation authorities were also invited to participate in the Regional Roundtables which took place. These comments are not intended to limit consideration of comments shared individually by CAs through the consultation process.

Background

Conservation authorities have considerable expertise in land use planning. Conservation authority roles in land use planning include: as a regulator under Section 28 of the *Conservation Authorities Act*; as a public commenting body under the *Planning Act* and *Environmental Assessment Act*; as source protection authorities under the *Clean Water Act* supporting policy implementation; as resource management agencies operating on a local watershed basis; as a body with delegated authority in plan review to represent the provincial interest for natural hazards; as a technical advisory for municipalities in the review of planning applications; and as the province's second largest landowners who may become involved in the planning and development process, either as an adjacent landowner or a proponent. In these roles, CAs endeavour to provide the best guidance to their municipal partners regarding how to balance multiple provincial and watershed priorities.

Conservation authorities are solution-oriented agencies, who represent aspects of the provincial interest in protecting public health and safety and work closely with their municipal partners to ensure development proposals uphold these interests. As well, through the provision of advice from watershed-based science, they enable municipalities to cost effectively consider in their decision-making other Provincial planning priorities, such as the 'wise use and management of resources' and stormwater. CAs continue to be committed to streamlining planning processes and to providing the best guidance to their municipal partners in a timely and cost-effective manner. Conservation authorities are prepared to assist the Province with identifying those streamlining opportunities as well.

Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017

Employment Planning

Through the CA review of the proposed Provincially Significant Employment Zones (PSEZs) it was noted that these proposed zones include natural hazard and heritage features which were not previously identified in municipally designated employment areas. It is recommended that areas which are not suitable for development, such as one-zone floodplain policy areas and provincially significant wetlands should be removed from the PSEZs. Conservation authorities can assist the Province with further refinement of the mapping based on their technical studies.

In providing “clarification that within existing office parks, non-employment uses should be limited” Conservation Ontario recommends that these non-employment uses should not include the natural heritage system or hazard lands. Open space designations are necessary for landscaping, buffers and Low Impact Development installations to manage stormwater associated with the employment use.

Settlement Area Boundary Expansions

- *Clarifying policy to focus on outcomes rather than specifying types of studies to justify the feasibility and location of settlement area boundary expansions*

Conservation Ontario recognizes the need to focus on outcomes rather than process particularly because the nomenclature for similar studies often differs across municipalities. Of concern, the proposed policy deletes references to policies 3.2.6 (Water and Wastewater Systems) and 3.2.7 (Stormwater Management), which provides important direction on the type of studies and information needed to support boundary expansions. Furthermore, requiring that the original studies be consistent with 3.2.6 and 3.2.7 ensures that the studies are recently updated and are congruent with the watershed plan for the area. Conservation Ontario recommends that the revised policy be amended to reinstate references to policy 3.2.6 and 3.2.7 and the requirement to “align with” rather than the proposed “be informed by” to ensure that new development is consistent with the recommendations of the previously-completed studies.

Further, CAs are concerned that, in the absence of a requirement for watershed planning, potential impacts of settlement area boundary expansions and potential impacts on the Water Resource System and Natural Heritage System may not be adequately assessed. It is acknowledged that it is difficult to be prescriptive with study requirements given that the potential impact of a settlement area boundary expansion is very context specific. Furthermore, these expansions have the potential to cross into other sub/watershed boundaries. It is therefore recommended that the appropriate scoping of technical studies should be undertaken in consultation with the local conservation authority to understand the sub/watershed context. The requirement to consider watershed conditions is a good starting point; however substituting the no negative impact test and replacing it with an approach to minimize and mitigate, creates a risk of negative environmental impacts to the water resource system, including the quality and quantity of water. It is recommended that the no negative impact test be retained in the Growth Plan for Settlement Area Boundary Expansions.

It is noted that the proposed amendment deletes the entire 2.2.8.3 g) that states: “for settlement areas that receive their water from or discharge their sewage to inland lakes, rivers, or groundwater, a completed environmental assessment for new or expanded services has identified how expanded water and wastewater treatment capacity would be addressed in a manner that is fiscally and environmentally

sustainable;”. While it is acknowledged that an environmental assessment may not be the only vehicle to assess potential impacts, it is recommended that the province develop robust guidance to outline equivalency for watershed planning, water and wastewater master plans and stormwater master plans for boundary expansions so as to not compromise surface or groundwater quality.

- *A new policy that allows municipalities to adjust settlement area boundaries outside the municipal comprehensive review if there is no net increase in land within settlement areas*

It is recommended that this policy should re-iterate that these boundary adjustments must take place outside of natural hazards, the natural heritage system and the water resource system. It is recommended that this adjustment be limited to a one time only per settlement area to prevent unnecessary greenfield development and pressure to allow development and servicing in natural features and buffers.

- *A new policy that allows municipalities to undertake settlement area boundary expansions that are no larger than 40 hectares outside the municipal comprehensive review (MCR), subject to criteria*

Conservation Ontario requests that further information be provided with regard to this proposed policy. For example, the current policy does not specify whether this 40 ha expansion would be a one-time only event. It is recommended that the province place a cap on the number of proposed expansions outside of the MCR, as otherwise, this policy could result in greater land consumption on an ad-hoc basis. It is noted that these expansions are unlikely to have been considered during the creation of the original watershed plan for the area and therefore an update to that plan may be required.

Small Rural Settlements

- *A new policy that allows minor rounding out of rural settlements in keeping with the rural character of the area, and subject to other criteria*

It is recommended that a definition be provided for “minor rounding out” with a percentage limit set on net increases to a settlement area. The Province should also clarify the number of times the minor rounding adjustments may be made by a municipality. Directing development to settlement areas whenever possible is important to take advantage of the publicly maintained water and waste water systems.

Agricultural and Natural Heritage Systems

- *Specification that the provincial mapping of the agricultural land base and the Natural Heritage System (NHS) for the Growth Plan does not apply until it has been implemented in upper-and single-tier official plans*

In general, conservation authorities are supportive of this policy as many of the local NHSs are more accurate. In many watersheds, conservation authorities in collaboration with their municipal partners have developed NHSs which take into account local conditions and restoration priorities.

Further clarification is requested regarding whether the provincial mapping has to be implemented in both the upper and lower tier municipalities before it applies. It is recommended that the Province provide direction for municipalities (or conservation authorities) to conduct studies to identify and refine features which may not have been (accurately) mapped. It is acknowledged that many small,

lower tier municipalities may not have the resources to assess the accuracy of their NHS mapping. This may result in overly simplified mapping that does not appropriately identify the true boundaries of the NHS and lead to implementation delays in the field. It is therefore recommended that the Province provide support to small, lower tier municipalities who are not able to update their Official Plans in a timely manner and who may still be using outdated mapping.

- *During the period before provincial mapping is implemented in upper-and single-tier official plans, the Growth Plan policies for protecting prime agricultural areas and natural heritage systems and features will apply to municipal mapping*

Conservation authorities are supportive of having the policies for protecting prime agricultural areas and natural heritage systems apply to municipal mapping prior to provincial mapping being implemented in Official Plans. It is acknowledged that this policy will be most successful where the local NHS designations are up to date and have been ground-truthed. It is recommended that an additional policy be added to this section to clarify that in instances where there is a conflict between the provincial and municipal NHS policies that the more restrictive policy with respect to protection of the natural heritage system applies.

Intensification and Density Targets

It is understood that the province is proposing to simplify the approach to minimum intensification and density targets, including the application of the different levels of targets to recognize the needs of different communities. Conservation Ontario is concerned that the reduction in density and intensification targets could result in accelerated conversion of greenfield designated lands for settlement areas. The emphasis should be on the wise use of existing and upgraded infrastructure wherever possible. It is recommended that updates to existing and implementation of new watershed and subwatershed plans be utilized to assess the impacts of new development on the natural heritage and water resource systems.

Major Transit Station Areas

Conservation Ontario is supportive of the proposed new policy that allows municipalities to delineate and set density targets for major transit station areas in advance of the MCR. Clarity could be improved by providing examples of where development may be restricted by provincial policy, such as when there are risks associated with natural hazards. The nature and extent of these restrictions should be identified as part of the justification to the Minister for not achieving the target.

General Comments

The proposed changes to the Growth Plan introduce a number of new terms, which are yet to be defined. It is recommended that greater clarity in implementation could be achieved through defining “environmentally sustainable communities”; “water or wastewater master planning or equivalent”; and “watershed planning or equivalent”.

It is noted that provisions within the Plan that had provided specific direction to address and mitigate the impacts of climate change appear to have been weakened. Given the impact that climate change is having already in Ontario (flooding, drought, more severe and unpredictable weather); it is recommended that the new definition of environmentally sustainable communities include climate change considerations, which are consistent with the goals of the Made in Ontario Environment Plan. It is recommended that the definition of environmentally sustainable communities include further

direction to decrease greenhouse gas emissions through strong planning practices, such as having transit-supportive population densities.

The definition of subwatershed plans adds “goals, objectives, targets and assessment of watershed planning, **as available at the time a subwatershed plan is completed**”. It is recommended that further details about this proposed change be provided. The “trilogy” of watershed planning documents that were released by the Province in 1993 provided a good foundation for the process of watershed planning. It is recommended that this could be complemented by providing broad guidance on the range of topics that could be considered when undertaking watershed plans (including the current suite of provincial policies). This would facilitate more streamlined updates to sub/watershed plans when contemplating a settlement boundary adjustment.

Thank you for the opportunity to provide input into the “Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe”. Conservation Ontario looks forward to continuing to be engaged as the Province looks to modernize the planning system and can assist the Province with identifying streamlining opportunities for development approvals and implementation support material moving forward. Should you have any questions regarding these comments, please contact me at extension 226.

Sincerely,

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

Leslie Rich, RPP
Policy and Planning Liaison