



April 25, 2014

Provincial Policy Statement Review  
Ministry of Municipal Affairs and Housing  
Provincial Planning Policy Branch  
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PPS Review Team:

**Re: Conservation Ontario's Comments on "An Introduction to the Provincial Policy Statement, 2014: Rural Ontario" and "An Introduction to the Provincial Policy Statement, 2014: Northern Ontario" Drafts for Discussion**

Thank you for the opportunity to provide comments on the draft primers for Rural and Northern Ontario in support of the implementation of the *Provincial Policy Statement* (PPS). The following comments are submitted for your consideration by Conservation Ontario (CO), which is the network of Ontario's 36 Conservation Authorities (CAs).

### **General Comments**

Conservation Authority staff commend the Province for the creation of these primers. It is appreciated that differences within the Province are recognized within these primers and guidance on implementation within differing contexts is helpful. The purpose of these documents of summarizing the new changes to the PPS and demonstrating how to implement the document for a variety of planning authorities is appreciated. Overall, these primers provide a good high-level introduction of the planning process in Ontario.

The comments provided within this letter will relate to both the rural and northern primers. In general it is recommended that the northern Ontario primer contain a map identifying the location of northern Ontario, although it is recognized that there will be cases where both the northern and rural primers will apply (i.e. agricultural areas in northern Ontario).

### **Helpful Elements with the Primers**

Conservation Authority staff found the "PPS Fact or Fiction?", "Scenarios", and "Additional Resources" sections within these documents helpful. CA staff found the differentiation between rural areas as compared to rural lands to be a useful concept which allows for consideration of different land uses and priorities in rural areas. CA staff also supported the emphasis on shoreline areas in the guide.

## **Areas for Improvement/ Specific Comments**

### *Policy Highlights for Rural Lands (policy 1.1.5)*

In terms of identifying what is “limited residential development” there should be a strong emphasis on utilizing science-based watershed/lake plans/site evaluation guidelines to identify natural heritage/ water resource sustainability issues. The list of considerations should include: presence, condition and impact on water resources; and presence of natural hazards.

### *Settlement Area Expansions (policy 1.1.3.8)*

It should be emphasized that, where settlement areas are considering expansion, decision-makers should be applying all of the policies included in the PPS, not just 1.1.3.8.

### *Infrastructure: Sewage and Water (policy 1.6.6) – Related Tools*

In order to achieve growth management and environmental objectives, planning authorities should also be encouraged to take into consideration watershed and lake management plans in planning long term sewage and water master plans.

### *Natural Heritage (policy 2.1)*

Conservation Authority staff are supportive of the emphasis on natural heritage systems within these draft primers. Municipalities are charged with the interpretation and implementation of a natural heritage system, but recognition and acknowledgement of the role many CAs play in this area may add to this document.

Further clarification is needed with respect to part b) of the definition of coastal wetlands as it has caused confusion with respect to the upstream tributaries that should be included. A scenario highlighting the nuances of the definition in the context of coastal wetland evaluation and preservation would be appreciated.

The guidance in this section should indicate that both lower and upper tier Official Plans should be consulted as to potentially applicable lake and watershed plans that have been adopted in the municipality. Conservation Authorities may also be a source for watershed plans and lake management plans.

### *Water (policy 2.2 and 4.13)*

Guidance on Source Water Protection pursuant to the *Clean Water Act* should be included in this section.

### *Natural Hazards and Planning for Climate Change (policy 3.1)*

In Ontario, flooding is the leading cause of public emergency. To demonstrate the importance of planning for natural hazard management and climate change, it may be helpful to include some context in the beginning of this section. Any contextual statements should also highlight the importance of undertaking technical studies early in the planning process to determine the extent of hazard areas.

In addition to the strong emphasis on Conservation Authorities’ role in natural hazards management and planning for climate change, there should also be discussion of the municipal role. Advising that municipalities can implement hazard management and mitigation through incorporation of policies that could serve to reduce risk and promote resiliency in Official Plans would be beneficial.

Conservation Authority staff also request additional information in regard to the implementation of S. 3.1.3 (climate change). Supporting documentation should be produced by the Province. In the interim, Toronto and Region Conservation Authority has developed a climate change strategy entitled “Meeting the Challenge of Climate Change – TRCA Action Plan for The Living City” available at <http://www.trca.on.ca/dotAsset/16642.pdf> which may be of assistance to practitioners.

#### Role of Conservation Authorities

Conservation Ontario recommends a number of amendments to this section to make it more consistent with approved provincial guidance on the role of Conservation Authorities in the planning process (i.e. the Ministry of Natural Resources’ “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”). Additions are noted in **bold** and recommended removals are noted in ~~strikethrough~~.

“The Ministry of Natural Resources has delegated responsibility to conservation authorities to comment on municipal planning documents and applications under the *Planning Act* that are submitted to determine consistency with the natural hazards policies, **inclusive of flood plain management, hazardous slopes, Great Lakes shorelines, unstable soils and erosion** of the Provincial Policy Statement.

Conservation authorities are ~~established in conjunction with~~ **corporate bodies created through legislation by** the province **at the request of two or more municipalities** to implement resource management programs. Throughout southern Ontario they have been established by municipalities with a common watershed. In northern Ontario, conservation authorities have been established by the larger municipalities, including the Cities of Thunder Bay, Sault Ste. Marie, Timmins, Sudbury and North Bay, and the province. Through the *Conservation Authorities Act*, administered by the Ministry of Natural Resources, conservation authorities implement a shared municipal/provincial program in natural hazards prevention to protect people **and property** from certain natural hazards within the authority’s jurisdiction. Through Minister-approved regulations under the *Conservation Authorities Act*, conservation authorities regulate development as defined under the Act in areas prone to water-related hazards (**Great Lakes shorelines, inland lakes, river or stream valleys**, floodplains, wetlands **and their adjacent areas**, hazardous lands) for impacts to the control of the hazards (flooding, erosion, dynamic beaches, pollution, conservation of land) and for interfering with a watercourse or wetland.

Mapping of floodplains and other natural hazards may be provided by conservation authorities to the municipalities within the authority’s jurisdiction. The Ministry of Natural Resources may provide this type of mapping where conservation authorities have not been established. However, such mapping is not available province-wide. The natural hazard policies in the Provincial Policy Statement, 2014 provide important direction in the absence of specific policies in provincial plans, or in the absence of mapping for these types of hazards. **Throughout Ontario, the Ministry of Natural Resources retains responsibility to comment on S. 3.1.8 “hazardous forest types for wildland fire”.**

#### *Provincial Plans (policy 4.12)*

We recommend the addition of approved Source Protection Plans under the *Clean Water Act*, and the Great Lakes Strategy as two additional sets of provincial plans that should be referenced in this section of the Guide.

*Scenarios*

CA staff recommend the creation of a scenario addressing proposed development in a coastal wetland. Scenario 10 (Rural) and 7 (Northern): Wetland as well as Scenario 11 (Rural): Floodplain should specifically reference that Conservation Authority regulations may apply to these development scenarios. Scenario 3 (Rural) and 5 (Northern): Cottage Development should also direct planners to consider whether the structure can be located outside of any natural hazard(s) on the property and that CA regulations may apply.

Once again, thank you for the opportunity to provide comment on “An Introduction to the Provincial Policy Statement, 2014: Rural Ontario” and “An Introduction to the Provincial Policy Statement, 2014: Northern Ontario” Drafts for Discussion. Should you have any questions regarding these comments, please contact myself 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, MCIP, RPP

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