



October 15, 2010

Kyle MacIntyre
Manager (A)
Provincial Planning Policy Branch
Ministry of Municipal Affairs and Housing
14th Floor
777 Bay Street
Toronto, Ontario M5G 2E5

Re: Review of the Provincial Policy Statement, 2005 (EBR #010-9766)

Dear Mr. MacIntyre,

Thank you for the opportunity to provide our perspective to the 5 Year Review of the Provincial Policy Statement which was initiated through the Environmental Registry (EBR 010-9766). Your Ministry's extension on the deadline for comments from August 31, 2010 to October 29, 2010 was greatly appreciated and enabled opportunities for additional dialogue with various environmental non-government organizations and provincial ministry staff. The following comments are submitted for your consideration by Conservation Ontario, which is the network of Ontario's 36 conservation authorities. These comments are not intended to limit your consideration of comments submitted individually by conservation authorities.

Conservation authorities are watershed-based resource management agencies, whose mandate includes a variety of responsibilities and functions in the land use planning and development process (for details see - http://www.conservation-ontario.on.ca/planning_regulations/land_use_planning.html). Through these roles in the land use planning and development process, conservation authorities have valuable insights to contribute to review of the Provincial Policy Statement and considerable effort was expended to produce the attached submission.

The attached submission reflects the expertise and experience of approximately 29 staff from 20 Conservation Authorities who are committed to improvements to the Ontario land use planning system. At the October 4, 2010 meeting, Conservation Ontario Council endorsed the draft version of the attached submission and specifically endorsed recommendations that have been made recently in relation to the Provincial Policy Statement. Recommendation 39 from the final report, *Adapting to Climate Change in Ontario*, which was released by the Ontario Climate Change Expert Panel in late November 2009 was endorsed and it states (emphasis added):

*The Ministry of Municipal Affairs and Housing, in collaboration with other ministries, should prepare **firmly worded policy for inclusion in the Provincial Policy Statement during the upcoming review in 2010 to the effect that all planning authorities, in making decisions, must take into account risks arising from climate change.** Further, the Ministry of Municipal Affairs and Housing should consult with planning authorities, the research community, and professional engineers and planners in preparation for issuing guidelines regarding the implementation of the policy.*

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Additionally, Recommendation #8 from the Environmental Commissioner of Ontario's 2009/10 Annual Report *Redefining Conservation* was endorsed by Conservation Ontario Council and it states:

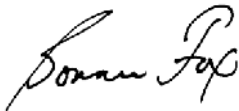
The ECO recommends that the Ministry of Municipal Affairs and Housing amend the Provincial Policy Statement to require integrated watershed management planning.

The endorsement of these important recommendations has been reflected in the attached table of numbered comments, both general and specific, and wherever possible in the comments within the "rationale" column.

The attached table of comments is organized into six main categories: General Comments Relevant to Entire Document, Natural Heritage Systems, Water Resource Systems, Mineral Aggregate Resources, Natural Hazards – General, and Natural Hazards – Special Policy Areas and Intensification. General comments and/or specific recommendations are provided under each category.

Again, thank you for the opportunity to participate in this stage of the 5 Year Review and if you have any questions regarding these comments please contact myself at 905-895-0716 ext 223 or Natasha Leahy at ext 228.

Sincerely,



Bonnie Fox
Manager, Policy and Planning

c.c. Gord Miller, Environmental Commissioner of Ontario
David Pearson, Chair, Expert Panel on Climate Change Adaptation
Conservation Authority GMs/CAOs

**Provincial Policy Statement, 2005 – Five Year Review
Conservation Ontario Submission – October 15, 2010**

A) General Comments Relevant to Entire Document

1. It is noted that currently the PPS provides little emphasis to managing the impacts and risks of climate change. At the October 4, 2010 meeting, Conservation Ontario Council specifically endorsed the following recommendation from the final report, *Adapting to Climate Change in Ontario*, which was released by the Ontario Climate Change Expert Panel in late November 2009:

Recommendation 39

*The Ministry of Municipal Affairs and Housing, in collaboration with other ministries, should prepare firmly worded policy for inclusion in the Provincial Policy Statement during the upcoming review in 2010 to the effect that **all planning authorities, in making decisions, must take into account risks arising from climate change.** Further, the Ministry of Municipal Affairs and Housing should consult with planning authorities, the research community, and professional engineers and planners in preparation for issuing guidelines regarding the implementation of the policy.*

Dealing with adaptation to climate change requires collaboration between all levels of government and stakeholders. In particular, Conservation Ontario looks forward to further discussions with the Ministry of Natural Resources regarding the implications of climate change to natural hazards policies in Section 3.1 of the Provincial Policy Statement, 2005 (PPS).

2. The Greenbelt Plan makes overt references to the technical guides that go along with it, but no reference is made in the PPS to the Natural Heritage Reference Manual, Significant Wildlife Habitat Technical Guide, and other supporting documents. These manuals are necessary in providing guidance to the local planning authorities to identify and map significant woodlands, significant valleylands and significant wildlife habitat and this connection should be made clearer in the policies. This addition would also be valuable because it would recognize the status of these documents, which are sometimes questioned in OMB hearings.
3. Further to comment #1 and #2 above, it is requested that the Province ensure that the technical guidance to support the implementation of the PPS is as up-to-date as possible. Some technical guidelines (e.g. Natural Hazards) in use have not received a detailed review since the 1980s or 1990s and must now be updated to include climate change considerations. All the manuals need to keep pace with the current policy regime.
4. Overall, the Province is requested to ensure that the terminology and verbiage in the PPS is as consistent with other provincial policies and plans as possible (e.g. the Greenbelt Plan, the Growth Plan, etc.) to facilitate the implementation of these policies and plans.

*The comments that follow have been categorized in a general manner according to the following legend

DR: Definition revision, e.g. edits to wording proposed to clarify or enhance the existing definition

ND: New definition recommended

NP: New policy

PC: Policy clarification, e.g. revisions to the wording to clarify, strengthen or enhance the existing policy

TR: Technical resources

Bolded (bolded) text indicates a suggested addition

Strikethrough (strikethrough) text indicates a suggested deletion

B) Natural Heritage Systems

5. A systems approach to protecting natural heritage and water resources is advocated. The Preamble in the PPS makes reference to systems, but the PPS needs to further reinforce the systems approach throughout the policies as opposed to a features-based approach, similar to that in Sections 3.2.1.3 and 3.2.5 of the Greenbelt Plan which consider a systems approach/local feature importance and connections to the broader system:

s. 3.2.1.3 The system is supported by a multitude of natural and hydrologic features and functions found within the Golden Horseshoe but outside of the NEP and ORMCP. In particular, the numerous watersheds, subwatersheds and groundwater sources, including the network of tributaries that support the major river systems identified in this Plan, are critical to the long-term health and sustainability of water resources and biodiversity and overall ecological integrity.

s. 3.2.5 The Natural Heritage System is connected to local, regional and provincial scale natural heritage water resources and agricultural systems beyond the boundaries of the Greenbelt.

This recommendation is consistent with past decisions of the Ontario Municipal Board (OMB), which recognized that a systems approach to defining a natural heritage system is superior to a features-based approach:

...not only is a systems approach an appropriate approach to determining the boundaries of a[isic] NHS in a developing urban area, it is the best approach. It is clearly the best approach given what experts now understand about environmental biology. No longer can society afford to look at the "natural environment" as isolated pockets of green which have been fortunate enough to have survived in an urban landscape. The Board is convinced by the evidence adduced in this hearing, that for the natural environment to have a chance of sustainability in developing urban areas, a systems approach must be taken to delineating boundaries...the use of a systems approach substantially increases sustainability of the natural environment in an urban context, by supporting the diversity of species and making the natural area more resilient to the effects of urbanization.(Ontario Municipal Board Decision by S.B. Campbell, 2008)

A systems approach which recognizes integration of both the natural heritage system and the water resources system is further supported through the Environmental Commissioner of Ontario's Recommendation #8 in his 2009/10 Annual Report which states: *The ECO recommends that the Ministry of Municipal Affairs and Housing amend the Provincial Policy Statement to require integrated watershed management planning.* Additionally, this approach should be considered critical to facilitate adaptation to climate change.

Ref #	Category *	Section	Recommendation	Rationale
6	NP	1.1.X	<p>The following new policy is proposed:</p> <p>1.1.3 Planning authorities shall support and implement integrated watershed management planning to connect local, regional and provincial scale natural heritage, water resource, urban, rural and agricultural systems.</p>	<p>This proposed wording reflects the Environmental Commissioner of Ontario's Recommendation #8 in his 2009/10 Annual Report which states: <i>The ECO recommends that the Ministry of Municipal Affairs and Housing amend the Provincial Policy Statement to require integrated watershed management planning.</i> It is similar to Section 3.2.5 (3) of the Greenbelt Plan, which states that watershed based planning should be undertaken. The policy proposed here makes specific reference to urban, rural and agricultural systems.</p> <p>In order to improve our understanding of Integrated Watershed Management (IWM), a shared initiative was undertaken by Conservation Ontario, Fisheries and Oceans Canada and the Ministries of Natural Resources and Environment to review IWM and develop recommendations for an approach to IWM in Ontario. In 2010 the findings of this initiative were released, which can be found at http://www.conservationontario.ca/watershed_management/integrated_watershed_management.html.</p>

Ref #	Category *	Section	Recommendation	Rationale
				It is proposed that “shall undertake” be changed to “shall support and implement” as “support” is a more general term which clarifies that other bodies such as conservation authorities may “undertake” watershed based planning.
7	PC/ND	1.5.1 b)	Section 1.5.1 makes reference to “open space” uses, however, there is no definition of “open space” in the PPS. Therefore, it is not clear how this policy differs from 1.5.1 d). A definition of open space that clearly differentiates between it and provincial parks, conservation reserves, conservation areas and natural heritage systems is requested.	
8	PC	2.0 – Preamble	<p>The following edits are recommended:</p> <p>Ontario’s long-term prosperity, environmental health, and social well-being depend on protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits. These resources are interdependent and should be managed and protected using integrated watershed management planning which is a comprehensive “natural system” approach that integrates the natural heritage system and the water resources system.</p>	<p>This proposed wording reflects the Environmental Commissioner of Ontario’s Recommendation #8 in his 2009/10 Annual Report which states: <i>The ECO recommends that the Ministry of Municipal Affairs and Housing amend the Provincial Policy Statement to require integrated watershed management planning.</i></p> <p>The intent of the PPS is ultimately to protect the system rather than just the features and areas (provincially significant components). This edit to the preamble is proposed to advance a systems approach. The new sentence proposed is consistent with policy 3.2.1 (3) from the Greenbelt Plan. It is also believed that the changes proposed are consistent with updates made to the Natural Heritage Reference Manual.</p> <p>It is important that the PPS clearly acknowledge the importance of maintaining features of local significance for not only their community value but also for their important role in sustaining the health and function of provincially significant features and the overall natural heritage <u>system</u>. This is also consistent with the Greenbelt Plan use of the term natural system (see details below).</p>
9	PC	2.1	It is recommended that the name of this section be changed to “Natural Heritage System ”	<p>According to the Greenbelt Plan (3.2.1(3)), “<i>The Natural System is made up of a Natural Heritage System and a Water Resource System that often coincides given ecological linkages between terrestrial and water based functions.</i>”</p> <p>It is recommended that the PPS be as consistent as possible with provincial plans such as the Greenbelt Plan and the Growth Plan. The edit proposed here would make the PPS more consistent with the Greenbelt Plan.</p>
10	NP	2.1.x	Municipalities should be required to develop a natural heritage system and associated policies as part of an Official Plan update.	
11	PC	2.1.1	<p>The following edits are recommended:</p> <p>2.1.1 [a] Natural features and areas heritage systems and the features, areas and functions within them shall be planned and protected for the long term.</p>	<p>The term “natural features and areas” is not defined in the PPS; therefore, at a minimum, this policy should be revised to state “natural heritage features and areas” to make it consistent with the terms defined in the glossary. The glossary indicates that the term “natural heritage features and areas” is intended to apply to <i>provincially significant</i> natural heritage areas while the “natural heritage system” is intended to cover a whole system including areas of local and community significance. It is believed that more emphasis should be placed on a systems approach to protecting natural heritage</p>

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				<p>features. The current policies are feature-based and do not afford enough protection to natural heritage systems. This can result in a series of patchwork features being protected that do not function as well as an interconnected system. Corridors should be afforded more protection. See our recommendations for the definition of natural heritage systems (#26).</p> <p>Our long-term prosperity, environmental health, and social well-being depend not only on protecting natural heritage features and areas, but also restoring and regenerating natural functions, where possible.</p> <p>The addition of the word “planned” is consistent with the wording in 1.6.5.2 (Transportation Systems) and also implies planning for potential linkages.</p>
12	NP	2.1.1 b)	<p>It is recommended that Section 2.1.1 be separated into two policies: 2.1.1 a) would contain the text currently found in 2.1.1, while 2.1.1 b) would read as follows:</p> <p>2.1.1 b) Where <i>significant</i> elements of the natural heritage system have been damaged or destroyed through activities contrary to PPS policies, there shall be no adjustment to the pre-existing boundary or designation of these elements and replacement or rehabilitation of the ecological functions and hydrologic functions will be required.</p>	<p>This is a policy gap that has resulted in a lack of protection and resulting loss of natural heritage systems with no mechanism to request restitution.</p> <p>Many municipalities in Southern Ontario have a similar policy (e.g. Durham Region, County of Essex). Peel Region has had this policy for some time and it has been very effective. It has also been argued successfully before the OMB.</p> <p>See our recommendations for the definitions of natural heritage systems (#26) and significant (#28).</p>
13	PC	2.1.2	<p>The following edits are recommended:</p> <p>2.1.2 The diversity and connectivity of natural features in an area, and the long-term <i>ecological function</i> and biodiversity of <i>natural heritage systems</i>, should shall be identified, maintained, restored or and, where possible, improved, recognizing linkages between and among <i>natural heritage features and areas</i>, surface water features systems and <i>ground water features</i> systems.</p>	<p>Changing the wording of the policy from “should” to “shall” will make this policy consistent with the wording in the remainder of Section 2.1.</p> <p>Changing the wording “or, where possible” to “and, where possible” will recognize that simply maintaining and restoring the existing features and functions may not be sufficient and that improving them may be necessary to ensure the long-term ecological function and biodiversity of natural heritage systems.</p> <p>Revising the wording “...water features” to “...water systems” is consistent with the Greenbelt Plan and recognizes that surface and ground water are not just individual features but rather systems that interact with one another and with the natural heritage system.</p>
14	PC	2.1.3 (a)/Glossary regarding “endangered species” and “threatened species”	<p>It is recommended that the PPS be updated to ensure consistency with the <i>Endangered Species Act, 2007</i>, including the definitions for “<i>endangered species</i>” and “<i>threatened species</i>”.</p>	<p>Since the PPS was approved the <i>Endangered Species Act, 2007</i> was passed; references to endangered and threatened species in the PPS must be updated to recognize the legislation. These housekeeping amendments are required to make the language in the PPS consistent with current practice.</p>

Ref #	Category *	Section	Recommendation	Rationale
15	PC	2.1.3 c)	The following edit is recommended: 2.1.3 c) significant coastal wetlands	The historic loss of southern Ontario's coastal wetlands post European settlement is conservatively estimated at 80%. Development, the impacts of climate change, water level variability and biological pressures (e.g. invasive Phragmites) all contribute to the cumulative and continuing incremental loss of coastal wetlands. Coastal wetlands serve to dampen storm surges and provide important nursery habitat for commercial fisheries; both of these functions may prove to be critical for adaptation to climate change. The importance of all coastal wetlands and their functions should be recognized through the PPS such that development and site alteration should not be permitted in any coastal wetland whether considered 'significant' (i.e. provincially significant) or not.
16	PC/NP	Policy moved from 2.1.4 (b) to 2.1.3: 2.1.3 d)	It is recommended that development and site alteration shall not be permitted in significant woodlands south and east of the Canadian Shield, and therefore that 2.1.4b) be moved under 2.1.3. 2.1.3 d) significant woodlands south and east of the Canadian Shield 2.1.4 b) significant woodlands south and east of the Canadian Shield;	PPS policies protecting significant woodlands are weak and should be strengthened. Negative impacts with respect to significant woodlands are not defined, which makes it very easy to demonstrate that there are no negative impacts to woodlands, even if trees are being removed. Moving the policy regarding significant woodlands from Policy 2.1.4(b) to 2.1.3 (therefore, development and site alteration shall not be permitted within them), would be consistent with the Greenbelt Plan wherein Significant Woodlands are considered Key Natural Heritage Features similar to wetlands.
17	PC/NP	Policy moved from 2.1.4 (e) to 2.1.3: 2.1.3 e)	It is recommended that development and site alteration shall not be permitted in significant areas of natural and scientific interest, and therefore that 2.1.4 (e) be moved under 2.1.3. 2.1.3 e) significant areas of natural and scientific interest 2.1.4 e) significant areas of natural and scientific interest	Currently this policy regarding areas of natural and scientific interest (ANSIs) is found under 2.1.4 (e). The Greenbelt Plan also considers Life Science ANSI's, significant wildlife habitat and significant valleylands as key natural heritage features and has stronger requirements for development within the feature itself. The Province may want to consider protecting these features/functions under Policy 2.1.3 (therefore, as an area where development and site alteration shall not be permitted), rather than 2.1.4 (e).
18	NP	2.1.3 f)	The following new policy is proposed: 2.1.3 f) Any other elements found to be significant to a natural heritage system	This new policy provides that development and site alteration not be permitted in components of the natural heritage system that are significant, which would be in keeping with the natural heritage systems approach being advocated throughout these comments. These systems will be critical for adaptation of our natural heritage systems to climate change. See our recommendations for the definitions of natural heritage systems (#26) and significant (#28).
19	PC	2.1.4	The following edits to the bottom paragraph of this section are recommended: unless it has been demonstrated that there will be no <i>negative impacts on the natural heritage system features</i> or its <i>ecological functions or hydrologic function, and net ecological enhancements to the natural heritage system</i> are achieved.	Reference is made to demonstrating no negative impacts on the 'natural features'. However, in the context of Policy 2.1.4 it is clear that the 'natural features' being referred to are natural <u>heritage</u> features and areas as defined in the glossary (i.e. significant woodlands, significant valleylands, significant wildlife habitat, significant ANSIs, significant wetlands in the Canadian Shield north of ER 5E, 6E and 7E). Because it is argued that the policy refers to natural heritage features and functions – and because we are advocating a stronger systems approach in the PPS – a reference to natural heritage

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				<p>systems here would be appropriate.</p> <p>Adding "...and net ecological enhancements to the system are achieved" will strengthen the systems approach. These edits will also address cumulative impacts and recognize that an objective demonstration of a net improvement to the system is a test that must be met in order for development to be approved in these significant features.</p>
20	TR	2.1.4 d)	The current significant wildlife habitat technical guidelines should be revisited and strengthened.	<p>The significant wildlife habitat (SWH) policy is not working effectively, in part because the current SWH Technical Guidelines are too vague to be applied with confidence.</p> <p>It is also somewhat problematic that SWH is identified on the basis of individual features/functions (i.e. has to be the best example of that particular feature/function) and does not allow for consideration of cumulative features and functions. For example, a site may not have the most significant amphibian breeding ponds, number of locally rare species, turtle nesting area or stopover habitat within the planning jurisdiction on an individual basis, but the fact that so many specialized habitats are present on one site should somehow be taken into account.</p>
21	NP	2.1.4 f)	<p>The following new policy is proposed:</p> <p style="text-align: center;">2.1.4 f) other wetlands in Ecoregions 5E, 6E and 7E.</p>	<p>Municipalities are under no obligation to protect wetlands that are not provincially significant through the plan review process. The lack of provincial evaluation of a wetland or its failure to be evaluated as 'provincially significant' is used as an excuse by some approval authorities in justifying the loss of all other wetlands. The importance of all wetlands should be recognized through the PPS just as it's recognized in the Oak Ridges Moraine Conservation Plan and in Ontario Regulations under the <i>Conservation Authorities Act</i>. Development within wetlands should not be allowed unless it has been demonstrated that the development will have no negative impacts on the natural system.</p> <p>Further to comment #1, maintaining wetland cover will also help the Province adapt to and mitigate the impacts of climate change.</p>
22	PC	2.1.6	<p>The following edits are recommended:</p> <p style="text-align: center;">2.1.6 Development and site alteration shall not be permitted on...unless...it has been demonstrated that there will be no <i>negative impacts</i> on the <i>natural heritage system features</i> or on the <i>ecological functions or hydrologic functions</i>, and a net gain to the <i>natural heritage system</i> is achieved.</p>	<p>Reference is made to demonstrating no negative impacts on the 'natural features'. However, in this context it is clear that the 'natural features' being referred to are defined as natural heritage features and areas (i.e. significant woodlands, significant valleylands, significant wildlife habitat, significant ANSIs, significant wetlands in the Canadian Shield north of ER 5E, 6E and 7E). As such, it is suggested to replace the term 'natural features' with the term 'natural heritage system'.</p> <p>The addition of "net gain" is in keeping with the requirements of Policy 2.1.2 which speaks to improving, where possible, the ecological function and biodiversity of natural heritage systems. The term "net gain" is taken from a 2004 Pollution Probe report entitled "Exploring Applications of the Net Gain Principle".</p>
23	NP	4.X	The implementation section of the PPS should state that natural heritage features/functions can be identified at any	The significant wildlife habitat (SWH) policy (2.1.4 (d)) is not working effectively in part because municipalities don't have the time, money or

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			time in the planning process and the proponent has a responsibility to fully assess whether or not it is present.	property access to conduct the necessary studies to identify SWH at the level of the planning jurisdiction.
24	DR	Definition: Adjacent Lands	<p>The following edits are recommended:</p> <p>a) for the purposes of policy 2.1, those lands contiguous to a specific <i>natural heritage feature or area</i>, where it is possible likely that <i>development or site alteration</i> would have a <i>negative impact</i> on the feature or area...</p> <p>To provide further clarity on the definition of 'adjacent lands', it is also recommended that the definition of adjacent lands be expanded to include the provincial recommendations for adjacent lands widths found in Table 4-2 of the updated Natural Heritage Reference Manual.</p>	It is recommended that the wording in part (a) of the definition for Adjacent Lands should be changed from "likely" to "possible" because it is more appropriate to consider <i>all</i> possible impacts that could result from development rather than only the ones that are <i>likely</i> to occur.
25	DR	Definition: Natural Heritage Features and Areas	<p>The following edits are recommended:</p> <p>Natural heritage features and areas: means features and areas, including <i>significant wetlands, fish habitat, significant woodlands</i> south and east of the Canadian Shield, <i>significant valleylands</i> south and east of the Canadian Shield, <i>significant habitat of endangered species and threatened species, significant wildlife habitat</i> and <i>significant areas of natural and scientific interest</i>, which are important for their environmental and social values as a legacy of the natural landscapes of an area. Natural heritage features and areas are sustained by the broader natural heritage system.</p>	It is very important to recognise that provincially significant natural heritage features and areas are an important component of the natural heritage system but do not represent the system in its entirety. It is suggested that the definition be revised to acknowledge the importance of local natural heritage in the protection, enhancement and restoration of natural heritage features and areas. It is the system that will enable adaptation to climate change.
26	DR	Definition: Natural Heritage System	<p>The following edits are recommended:</p> <p>Natural heritage system: means an overall system made up of natural <i>heritage features and areas, including natural heritage features and areas considered significant at provincial, watershed, regional or local scales</i> linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state. Natural heritage systems are supported by the water resource system and vice versa.</p>	<p>It is recommended that this definition be revised to clearly reflect that the natural heritage system includes natural heritage features of local value.</p> <p>According to the Greenbelt Plan (3.2.1(3)), "<i>The Natural System is made up of a Natural Heritage System and a Water Resource System that often coincides given ecological linkages between terrestrial and water based functions.</i>"</p> <p>It is recommended that the PPS be as consistent as possible with other provincial plans; this proposed edit would make the PPS more consistent with the Greenbelt Plan.</p>
27	DR	Definition: Negative impacts	<p>The following edits are recommended:</p> <p>Negative impacts: means</p>	It is recommended that the Province revisit the definition for "negative impacts". The "negative impacts" definition in the PPS has gaps in it and only references features without speaking to the system (particularly part 'c'), so while the natural heritage feature itself may be protected, its ecological and

Ref #	Category *	Section	Recommendation	Rationale
			<p>a) in regard to policy 2-2 2.0...</p> <p>c) in regard to other <i>natural heritage features and areas</i>...or <i>ecological functions</i> or hydrologic functions for which an area is...</p>	<p>hydrologic function may deteriorate over time. Also, natural heritage systems often require expansion in order to be sustainable in the long term (e.g. due to urbanization). The loss of the opportunity to make this expansion would be considered a negative impact to the system.</p> <p>Re. the proposed edit to part (a): The definition of negative impacts should apply to all of Section 2.0, not just 2.2.</p> <p>Re. the proposed edit to part (c): This edit is consistent with the edits proposed in comments [2.1.4 & 2.1.6 – see comments #19 & 22).</p>
28	DR	Definition: Significant	<p>Currently the definition of “significant” is feature-based and it is recommended that it be amended to also allow that the natural heritage system will also be significant in some instances.</p> <p>In addition, the following edits are recommended to part (b):</p> <p>Significant means:</p> <p>b) in regard to the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, Environment Canada and Fisheries and Oceans Canada, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;</p> <p>c) in regard to <i>woodlands</i>, 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. The Province (Ministry of Natural Resources) identifies criteria related to the foregoing;</p>	<p>The significance of natural heritage systems is particularly acute in highly urban municipalities such as Toronto or Mississauga where the natural heritage system constitutes barely 5% of the entire municipality, and therefore natural heritage systems should be referenced in the definition of significance.</p> <p>Regarding the proposed changes to part (b), it is important to include references to Environment Canada and Fisheries and Oceans Canada in addition to MNR, since these agencies are responsible for the status of species at the federal level. The Natural Heritage Reference Manual provides direction for dealing with nationally endangered species occurring in Ontario which are not yet designated at the provincial level.</p> <p>The amendment proposed to part (c) is intended to make this definition consistent with that found in the Greenbelt Plan.</p>

C) Water Resource Systems

Ref #	Category*	Section	Recommendation	Rationale
29	PC	2.2	It is recommended that the name of this section be changed to "Water Resource System "	<p>According to the Greenbelt Plan (3.2.1(3)), "<i>The Natural System is made up of a Natural Heritage System and a Water Resource System that often coincides given ecological linkages between terrestrial and water based functions.</i>"</p> <p>It is recommended that the PPS be as consistent as possible with provincial plans such as the Greenbelt Plan and the Growth Plan; this proposed edit would make the PPS more consistent with the Greenbelt Plan.</p>
30	PC	2.2.1 d)	<p>The following edits are recommended:</p> <p>d) implementing necessary restrictions on <i>development</i> and <i>site alteration</i> to:</p> <ol style="list-style-type: none"> 1. protect all municipal drinking water supplies and <i>designated vulnerable areas</i>; and ... 	All water supplies must be protected; private water supplies require the same level of protection under the PPS as municipal drinking water supplies.

Ref #	Category*	Section	Recommendation	Rationale
31	PC	2.2.1 g)	<p>Change the wording of this policy to the following:</p> <p>g) implementing practices that manage ensuring stormwater management practices minimize stormwater volumes, thermal impacts, and contaminant loads, and impacts to erosion such that there will be no negative impacts to downstream ecological functions and hydrologic function and maintain or increase the extent of vegetative and pervious surfaces.</p>	<p>It is argued that it is not appropriate for (g) to direct that stormwater volumes be minimized, because situations may arise whereby minimizing stormwater volumes could result in a greater flood risk. Rather, stormwater volumes should be <u>managed</u> according to hydrologic fluctuations and the upstream and downstream situation to minimize impacts to existing watercourses. The need for effective stormwater management is expected to increase due to impacts and risks associated with climate change.</p> <p>“Thermal impacts” are specifically added to this section because climate change has implications for the thermal pollution aspect of stormwater management. Fish communities are being degraded as a result of the warming of their habitats. Freshwater ecosystems have been extensively highlighted in climate change literature. The loss of the quality, complexity and diversity of our aquatic ecosystems and the shift from complex food chains composed of native fish species with a good portion of those species being “specialists” to more simple food webs composed of non natives and “generalist” species is concerning.</p> <p>It has been recommended that the direction to maintain or increase the extent of vegetative and pervious surfaces be removed because, within greenfield situations where the majority of the land is pervious, it would not be possible to maintain or increase the extent of vegetative and pervious surfaces when the land is developed for urban purposes.</p> <p>Examples of stormwater practices to meet the intent of amendments to g) include:</p> <ol style="list-style-type: none"> 1. Protecting water quality (minimize contaminant loading including thermal impacts) 2. Preserving ground water and baseflow characteristics 3. Preventing undesirable streambank erosion 4. Preventing increases in flood risk potential 5. Maintaining hydrological and ecological functions (e.g. increasing extent of vegetation and pervious surfaces; and 6. Maintaining an appropriate diversity of aquatic life. <p>There are additional specific examples in the <i>Low Impact Development Stormwater Mgmt Planning & Design Guide</i> on the Sustainable Technologies Evaluation Program website (http://www.sustainabletechnologies.ca)</p>
32	NP	2.2.1 x)	<p>The following new policy is proposed:</p> <p>x) ensuring that contaminant loads from sewage and water services effluent are minimized to protect public health and the natural environment.</p>	<p>2.2.1 (g) specifically targets stormwater; waste water effluent is not adequately addressed in the PPS.</p> <p>With regard to this new policy proposed, a connection is made between policy 2.2.1 and 1.6.4 for promoting water conservation and</p>

Ref #	Category*	Section	Recommendation	Rationale
				water use efficiency but not for water quality in receiving water bodies. The proposed addition would make the PPS more consistent throughout.
33	NP	2.2.1 x)	The following new policy is proposed: x) protecting existing and future drinking water sources in accordance with Source Protection Plans.	Current concerns over water quality and continually increasing knowledge on the subject have necessitated the need for more comprehensive provincial policies on water. We believe that the wording in the proposed PPS policy provides a suitable link to anticipated Source Protection Planning initiatives, however stronger wording could apply to reflect the modifications and amendments imposed by the <i>Clean Water Act</i> in 2006 (after the last PPS review) and the implementation of Source Protection Plans.
34	NP	2.2.1 x)	The following new policy is proposed: x) ensuring, wherever possible, the implementation of: 1. A hierarchy of source, lot-level, conveyance and end-of-pipe controls. 2. Innovative stormwater management measures with appropriate monitoring and evaluation, performance indicators and contingency measures.	As above (see the rationale for comment #33). This new policy is consistent with direction provided in the Lake Simcoe Protection Plan (4.7-DP).
35	PC	2.2.2	It is recommended that this section be revised as follows: 2.2.2 <i>Development and site alteration shall be restricted not be permitted in or near sensitive surface water features and sensitive ground water features unless it can be demonstrated that such that these features and their related hydrologic functions will be protected, improved or restored.</i> Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore <i>sensitive surface water features, sensitive ground water features and their hydrologic functions.</i>	The direction provided in the two different paragraphs of this policy conflict with one another. The first paragraph of 2.2.2 states that development and site alteration <u>shall be restricted</u> in or near sensitive surface water features and that these features shall be protected, improved or restored. Yet, the following paragraph states that <u>mitigative measures and/or alternative development approaches may be required</u> to protect, improve or restore sensitive surface water features. These two statements conflict with one another. Clarification is required. It is noted that the term “restricted” does not appear elsewhere in the PPS; therefore, it is suggested that this wording be replaced with “not be permitted”.
36	DR	Definition: Individual on-site sewage services (regarding policy 1.6.4)	The following edits are recommended: Individual on-site sewage services: means individual, autonomous sewage disposal treatment and reuse systems within the meaning of s.8.1.2, O.Reg 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.	The industry does not allow for on-site sewage disposal and, furthermore, tertiary systems and grey water systems are being used.
37	DR	Definition: Sensitive	The following edits are recommended:	The definition requires revision to reflect the implementation of the <i>Clean Water Act</i> , and preparation of Source Protection Plans.

Ref #	Category*	Section	Recommendation	Rationale
			<p>Sensitive: in regard to <i>surface water features systems</i> and <i>groundwater features systems</i>, means vulnerable areas that include Highly Vulnerable Aquifer, Significant Groundwater Recharge Area, Wellhead Protection Area, and Surface Water Intake Protection Zone, and areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.</p>	<p>“Sensitive” under Section 2.2 Water, should include definitions provided for in the <i>Clean Water Act</i> and its General Regulation (O. Reg 287/07).</p>

D) Mineral Aggregate Resources

Ref #	Category*	Section	Recommendation	Rationale
38	PC	2.5.2.1	<p>Recommend that the wording be changed as follows:</p> <p>2.5.2.1 As much of the <i>mineral aggregate resources</i> as is realistically possible shall be made available as close to markets as possible.</p> <p>Demonstration of the need for <i>mineral aggregate resources</i>, including any type of supply/demand analysis shall not be required, notwithstanding the availability, designation or licensing from extraction of <i>mineral aggregate resources</i> locally or elsewhere.</p>	<p>The extraction of mineral aggregates can have both short and long-term impacts on natural heritage and hydrologic features and functions, which are also of Provincial and local interest. Demonstration of the need for mineral aggregate resources should be required and should take into account the availability, designation and licensing for extraction of mineral aggregates locally and elsewhere. This data should be readily available within the aggregate industry as it represents a fundamental piece for informed decision-making at multiple levels of government, particularly at the local and regional levels.</p> <p>By not requiring a demonstration of need the Province is putting at risk the natural heritage and hydrologic features that it is trying to protect through Sections 2.1 and 2.2 of the PPS.</p>
39	PC	2.5.2.2	<p>Recommend that the wording be revised as follows:</p> <p>2.5.2.2 Extraction shall be undertaken in a manner that minimizes social and environmental impacts and immediate and cumulative negative impacts from the site to an area-wide scale over the life-cycle of the operation.</p>	<p>The PPS needs to acknowledge that aggregate extraction will be at the expense of the environment in the immediate term. However, the impact must be understood and mitigated with both short-term and long-term perspectives – i.e. during the operational life cycle, as well as post-rehabilitation.</p> <p>This policy is the only one that minimizes environmental impacts as opposed to protecting, improving and restoring the environment. This policy should be strengthened to recognize that aggregate extraction should not occur at the expense of the environment, both now or into the future with respect to on-site and cumulative impacts (upstream and downstream).</p> <p>Please note that a definition for “area-wide” has been proposed below (see comment #43).</p>
40	NP	2.5.2.6	<p>Recommend that a new subsection to promote reuse/recycling with the following policy:</p> <p>2.5.2.6 The use of recycled and secondary sources of mineral aggregate resources shall be encouraged.</p>	<p>Rather than ensuring supply to meet anticipated demand, we should be fostering a mindset that promotes conservation and efficient use of the resource.</p> <p>This recommendation is consistent with the recommendations the State of the Aggregate Resource in Ontario Study (SAROS) Advisory Committee presented to the Minister of Natural Resources in June 2010.</p>
41	PC	2.5.3.1	<p>Recommend that a subsection 2.5.3.1 be amended as follows:</p> <p>2.5.3.1 Timely, Progressive and final rehabilitation shall be</p>	<p>Providing for the timely removal of aggregate, in addition to progressive rehabilitation, will go a long way in helping to ensure that aggregate extraction operations do not remain open for</p>

Ref #	Category*	Section	Recommendation	Rationale
			required to accommodate subsequent land uses, to promote land use compatibility, and to maintain, restore, or where possible, enhance the <i>natural heritage system</i>, in a manner that recognizes the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.	decades with little or no progress in achieving final rehabilitation. This recommendation is consistent with the June 2010 recommendations of the SAROS Advisory Committee.
42	NP	2.5.3.x	It is recommended that a new policy be added to 2.5.3, as follows: 2.5.3.x Rehabilitation shall occur in accordance with an <i>area-wide</i> comprehensive rehabilitation plan.	Please note that a definition for “area-wide” has been proposed below (see comment #43). This recommendation is consistent with the June 2010 recommendations of the SAROS Advisory Committee, which states that a rehabilitation plan should be developed for every licensed pit and quarry that will provide a net maximum ecological benefit for the affected landscape (Section 1.0/p.2).
43	ND	Definition: Area-wide	The following new definition is proposed: Area-wide: means a subwatershed or a grouping(s) of individual <i>natural heritage features and areas, adjacent lands, and linkages which together represent significant elements of the overall natural system.</i>	A definition for “area-wide” has been recommended, as there is no known similar term that has already been defined. See references within comments #39 and #42.

E) Natural Hazards (General)

44. Concerns have been raised regarding the lack of direction provided within the PPS regarding redevelopment of shorelines. Many CAs with Great Lakes and large inland lakes shorelines are experiencing issues around shoreline protection works and intensification. The lack of direction regarding redevelopment and/or intensification (e.g. from seasonal to full-time use) of Great Lakes and large inland lakes shorelines is a major issue that requires provincial leadership and dialogue with stakeholders; it is felt that a fulsome discussion between the Province and stakeholders is warranted. The lack of a specific recommendation about how this could be addressed in these comments is not to diminish the level of concern this issue is causing CAs; rather, it is felt that it would be more appropriate to flag this as an emerging issue that needs to be addressed by the Province. An approach to protect existing development but not to facilitate intensification along shorelines is advocated.

Additionally, it is reiterated (Comment #1) that Conservation Ontario looks forward to further discussions with the Ministry of Natural Resources regarding the implications of climate change to natural hazards policies of the PPS; including those related to Great Lakes and large inland lake shorelines.

Ref #	Category*	Section	Recommendation	Rationale
45	NP	1.1.3.9 (e)	<p>The following new policy is recommended:</p> <p>1.1.3.9 A planning authority may identify a <i>settlement area</i> or allow the expansion of a <i>settlement area</i> boundary only at the time of a <i>comprehensive review</i> and only where it has been demonstrated that:</p> <p>e) the <i>settlement area</i> or expansion of a <i>settlement area</i> will not have an adverse impact on flood levels within the watershed.</p>	<p>The intent of the proposed policy 1.1.3.9 e) is to provide further policy direction to prevent downstream flooding impacts associated with the approval of new or enlarged settlement areas.</p>
46	PC	3.0 (Preamble)	<p>The following edits are recommended to the preamble:</p> <p>Ontario's long term prosperity, environmental health and social well being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human made hazards. Development shall be directed away from areas of natural or human made hazards where there is an unacceptable risk to public health and safety or of property damage. Further, development shall not create new hazards or aggravate existing hazards.</p>	<p>The policy direction contained in section 3.0 needs to be clarified in order to provide greater direction at both the watershed and site scale for the prevention of downstream flooding impacts. Currently the direction within the PPS focuses on directing development away from <i>known hazards</i>. However <i>new hazards</i> can potentially be created and/or existing hazards aggravated through development. The purpose of this additional directive statement is to take into account a broader watershed-focused perspective on land use patterns and a cumulative effects-based perspective on hydrologic impacts associated with development.</p>

Ref #	Category*	Section	Recommendation	Rationale
47	NP	3.1.X	<p>The following new policy is recommended:</p> <p>3.1.X: Further to policy 1.1.1 c) and 2.2.1 a) and b), planning authorities shall ensure that <i>development</i> and <i>site alteration</i> does not create new hazards and that existing hazards are not aggravated.</p>	<p>The intent of the proposed policy 3.1.X is to provide further policy direction and clarification at both the watershed and site scale to prevent downstream flooding impacts associated with approval of new or enlarged settlement areas, changes in lands use and applications for development and site alteration.</p> <p>As CAs update flood plain mapping for watersheds, a trend has been observed involving greater downstream flood levels resulting in larger areas susceptible to flood hazards. A factor in the existence of these enlarged flood plains could be attributed, in part, to the changes in watershed hydrology caused by urbanization. Current PPS direction focuses mainly on the prevention or management of development within known hazards but development outside the hazard area can also lead to impacts.</p> <p>Policy 1.1.1 c) speaks to avoiding development and land use patterns which may cause public safety concerns. In addition, Policy 2.2.1 a) and b) speak to watershed scale planning and minimizing potential negative impacts. These two policies need to be integrated and strengthened through a complementary direction within Section 3.1 to clearly direct the actions of planning authorities to avoid the creation of new downstream natural hazards associated with changes to watershed land use patterns and hydrology.</p>
48	PC	3.1.1	<p>The following edits are recommended:</p> <p>Development <i>Development and site alteration...</i></p>	<p>The general consensus is that the term “development” in 3.1.1 was not italicized in the 2005 PPS due to a simple oversight, and not that the term can be defined as per other legislation (e.g. the <i>Conservation Authorities Act</i>). To promote consistency throughout the PPS and clarify that “development” is to be interpreted as per the definition provided in the glossary, it is requested that “development” be italicized here.</p>
49	PC	3.1.2	<p>The following edits are recommended:</p> <p>Despite any other policy, with the exception of policies 3.1.3, 3.1.5 and 3.1.6, <i>development</i> and <i>site alteration</i> shall not be permitted within...</p>	<p>To reinforce policy 1.1.3.3 and given the importance of policy 3.1.2, the precedence of the prohibition against development contained in 3.1.2 alongside other potentially conflicting policies should be strengthened. Policy 3.1.2 states that “development and site alteration <u>shall not</u> be permitted...”. There are only 10 other “shall nots” in the PPS. Given this, the policy language currently provides a clear and unambiguous prohibition. However, experience has shown that this prohibition is questioned when balanced against other policy direction, i.e. intensification, compact communities, infilling, efficient use of land, etc. The proposed edit is intended to remove any ambiguity in this regard.</p>

Ref #	Category*	Section	Recommendation	Rationale
50	NP	3.1.2 e)	It is recommended that additional guidance regarding erosion hazards be included, as follows: e) erosion hazards;	Overall, this section is strong on flooding hazards but much weaker on erosion hazards (which are outlined in the 2002 Natural Hazards Technical Guidelines); the proposed addition puts them on more equal footing.
51	PC	3.1.5	The following edits are recommended: Where the two zone concept for <i>flood plains</i> is applied , has been approved , <i>development</i> and <i>site alteration</i> may be permitted in the <i>flood fringe</i> , subject to appropriate floodproofing to the <i>flooding hazard</i> elevation or another <i>flooding hazard</i> standard approved by the Minister of Natural Resources.	To ensure consistency across the Province, clarification should be provided about the intent of the two-zone concept, when it should be applied and how it is enacted (much as the Special Policy Area process is dealt with in policy 3.1.3 a). Note that “two zone” is italicized and a definition has been proposed (see comment #55).
52	PC	3.1.6	The following edits are recommended: 3.1.6 Further to policies 3.1.3 and 3.1.5 and except as prohibited in policies 3.1.2 and 3.1.4, <i>development</i> and <i>site alteration</i> may be permitted in those portions of <i>hazardous lands</i> and hazardous sites where the effects and risk to public safety are so minor se as to be managed or mitigated in accordance with provincial standards, as determined by the demonstration and achievements of all of the following:	This addition has been proposed because currently 3.1.6 a), b), c) & d) only applies to development and site alteration within two zone areas, but this direction should be applied where development and site alteration has been permitted in certain areas as per 3.1.3. The wording proposed is to make clear that this policy (in and of itself) is not to be used as a justification for development and is only intended to supplement how such allowable development would occur. Reference to <i>hazardous sites</i> (defined in PPS as unstable soil and unstable bedrock) has been deleted because 3.1.6 deals with two zone flood plains and only <i>hazardous lands</i> (see definition in PPS) is relevant.
53	DR	Definition: Development	The following edits are recommended: Development: means the creation of a new lot, lot additions , a change in land use, or the construction of buildings or structures, requiring approval under the <i>Planning Act</i> , but does not include:..... a) activities that create or maintain infrastructure authorized under an EA process.	Current policy indicates that development should be directed outside of hazardous areas. The definition of development includes new lot creation. There is increasing pressure to enlarge existing lots into hazardous areas through severance. The planning rationale is that there is no new lot creation - once the severed parcel is merged with the existing lot, there is no net increase in the number of lots. This position is of concern as it ultimately results in a lot fabric which would not have been initially supported by the PPS. It is recommended that the definition of development be amended to address this type of lot encroachment into hazardous areas. It is recommended that part (a) of the definition be removed, as it is often looked upon by proponents of an environmental assessment (EA) as a reason to give lesser emphasis on the natural heritage policy direction of the PPS when conducting EAs.

Ref #	Category*	Section	Recommendation	Rationale
54	DR	Definition: Site alteration	<p>The following edits are recommended:</p> <p>Site Alteration: means activities, such as grading, vegetation removal, excavation, and or the placement of fill that would change the landform and natural vegetative characteristics of a site.</p>	<p>The removal of vegetation has the capacity to adversely impact the natural hazard characteristics of an area.</p>
55	ND	Definition: Two Zone	<p>It is recommended that the term “two zone” be defined in the PPS. The following wording is proposed for consideration:</p> <p><i>Two zone: means a contiguous flood plain area where the floodway and flood fringe have been identified through a comprehensive study. Where it can be demonstrated by a municipality that the one-zone approach is too restrictive, selective application of the two-zone concept may be considered on a subwatershed or major reach basis in accordance with provincial guidelines. The creation of a two zone area must be approved by the affected municipality (ies) and the Conservation Authority, or the Ministry of Natural Resources, where no Conservation Authority exists.</i></p>	<p>To ensure consistency across the Province, clarification should be provided about when the two-zone concept should be applied and how it is enacted. This clarity will be facilitated by defining the term “two zone”, much as the policies for Special Policy Areas are clearer because a definition of that term is included in the document.</p> <p>A definition has been proposed for the Province’s consideration. It is recognized that defining this term would require a great deal of dialogue between MNR, MMAH and CO.</p>

F) Natural Hazards (Special Policy Areas and Intensification)

Ref #	Category*	Section	Recommendation	Rationale
56	PC	3.1.3 a)	<p>The following edits are recommended:</p> <p>3.1.3: Despite policy 3.1.2, <i>development</i> and <i>site alteration</i> may be permitted in certain areas defined in policy 3.1.2:</p> <p>a) in those exceptional situations where a <i>Special Policy Area</i> has been approved. The designation of a <i>Special Policy Area</i>, and any change or modification to the site-specific policies, or boundaries applying to a <i>Special Policy Area</i>, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications. No new development, intensification of development or site alteration is permitted within a Special Policy Area unless it conforms with the policies approved for use in the designated Special Policy Area or b) ...</p>	<p>Changes to Policy 3.1.3 regarding Special Policy Areas (SPA) are required to clarify recent provincial direction regarding SPAs.</p> <p>Specifically, clarity is needed in Policy 3.1.3 a) so that all changes to policies (not just site specific policy or boundary) are subject to provincial approval.</p> <p>Further, criteria and definitions are needed for the phrases “new or intensified development”. Language needs to be strengthened so that it is more prescriptive (e.g. definition of SPA re: “not intended”).</p>
57	PC	3.1.3 b)	Grammatically, S. 3.1.3(b) would be corrected if a comma were placed after “erosion control works”.	Without the comma, the first clause should apply to “minor additions” and “passive non-structural uses”.
58	PC	3.1.4 a)	<p>The following edits are recommended:</p> <p>3.1.4 Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:</p> <p>a) an institutional use including, but not limited to, those associated with hospitals, nursing homes, pre-school, school nurseries, day care, and schools, or facility where as there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities, or the young during an emergency....</p>	<p>This section is very prescriptive as it relates to “institutional uses”. There is a concern that the list of institutional uses provided is limiting, and that many of these uses may not always be “institutional” in nature. For example, privately run, assisted living facilities which may or may not be considered ‘institutional’ would not be appropriate in hazardous lands or hazardous sites. The prohibition should link to the risk factor. If the term “institutional use” is to remain in this policy, it is recommended the list of associated uses remain, but it be qualified (by “not limited to”) to demonstrate that it is not an exhaustive list.</p> <p>Additionally, edits are proposed for a) and b) to address the fact that the current wording can be read to mean that institutional uses and essential emergency services are permitted where safe evacuation can be argued. Application of this policy has been that these uses are not permitted and the difficulty of providing safe evacuation is given as a reason for this prohibition rather than as an exception to the prohibition.</p>
59	PC	3.1.4 b)	<p>The following edits are recommended:</p> <p>3.1.4 b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which as it would be impaired during an emergency as a result of</p>	The edits proposed are intended to clarify and strengthen this policy.

Ref #	Category*	Section	Recommendation	Rationale
			flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and	
60	ND	New term: New or intensified development and site alteration	<p>The definition for “special policy area” within the PPS includes the statement that “<i>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.</i>” The term “<u>new or intensified development and site alteration</u>” is not defined, and this has been identified as problematic. It is recommended that MNR and MMAH add and define this term to the glossary and that the definition should provide clarity regarding:</p> <ul style="list-style-type: none"> • Planning and development approvals beyond the scope of the provincially approved implementation official plan amendment for a SPA • Clarity on the creation of new lots • Increasing land use and densities • Intensification related to the character and built form of the original SPA approval. <p>The interpretation of this term has implications for how the SPA policies within the PPS are interpreted. This is a very complex issue that warrants dialogue between all stakeholders, including conservation authorities. Because of the need for further dialogue we have not attempted to draft a definition for this term.</p>	
61	DR	Definition: Special Policy Area	<p>The following edits are recommended to the second paragraph of this definition:</p> <p>Special policy area: ...<i>A Special Policy Area is not intended to does not</i> allow for new or intensified development and site alteration, if a settlement area community has feasible opportunities for development outside the <i>flood plain</i>.</p>	<p>This revised language would create the requirement to update SPA policies to ensure that SPAs do not allow for new or intensified development, consistent with the intent established in PPS 2005. Provincial direction with respect to the process and frequency for updating SPA policies is required. It is recommended that discussions be initiated between the responsible ministries.</p>