

APPENDIX 1 to MEM-PD-2023-004

Comments submitted August 3, 2023, to the Province in response to Environmental Registry of Ontario posting 019-6813 on proposed changes to natural heritage system policies, as part of a wider Provincial review and proposal for a new Provincial Planning Statement.

Chapter 4: Wise Use and Management of Resources

This chapter is based on Section 2 of the current PPS, and focuses on policies for natural heritage, water, agriculture, natural resources, and cultural heritage. While much of the intent of policies in the current PPS remain unchanged, staff did prepare comments related to climate change, stormwater management infrastructure and shifting responsibilities in the development process.

Staff Comments:

Section 4.2.1, the following policy subsection has been removed: “c) evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level.” Town staff believe that references to the impacts of a changing climate should continue to be a part of this policy section in the finalized Provincial Planning Statement so that climate change is linked to the policies regarding the quantity and quality of our water supply. Evaluating and preparing for the impacts of climate change is critical in protecting water resources and ensuring safe drinking water in our watersheds.

Section 4.2.1, the following policy subsection has been removed: “i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces.”

It is noted that Section 4.2.3 adds the following: “Municipalities are encouraged to undertake watershed planning to inform planning for sewage and water services and stormwater management, including low impact development, and the protection, improvement or restoration of the quality and quantity of water.”

With recent changes to the Consolidated Linear Infrastructure Environmental Compliance Approval process, the Province is downloading more responsibility to the municipalities by pushing more approval of Stormwater Management infrastructure to local authorities. Without strong policies in the PPS to require the development community to address Stormwater Management through their planning process, the municipalities would rely solely on local policies, bylaws and CLI ECA process.

The added section 4.2.3 would suggest municipalities are responsible for Subwatershed Studies that go beyond Secondary Plan boundaries, limiting the potential to use

previously completed studies. This would result in increased costs for the municipality while providing added benefit for the development community. If the Province is going to move forward with the direction taken in 4.2.3, it is critical section 4.2.1 i) be included in section 4.2 of the new Provincial Planning Statement.

Noted changes represent a much softer policy approach to Stormwater Management. These changes 'encourage' LID practices, while removing the former reference to what exactly should be done. Town staff believe that the policy subsection noted above, which is being considered for removal, should be retained in the Provincial Planning Statement.

Section 5: Protection Public Health and Safety

This chapter is based on Section 3 of the current PPS, and focuses on policies for natural and human-made hazards. Again, much of the current PPS framework remains unchanged, with staff providing comments which focused on definitions related to human activities.

Staff Comments:

Section 5.1 General Policies for Natural and 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 or safety or of property damage". Town staff believe a definition of an unacceptable risk should be considered. It should also be clarified whether it would be up to the municipality to confirm if the risk is acceptable or unacceptable.

Section 5.2. c) Hazardous sites: direction on who determines what is hazardous should be provided here, or in the definition of hazardous sites.

Section 5.3 Human-made hazards: consideration should also be given for areas in close proximity to dams and other regional control facilities.

Section 8: Definitions

As it relates to natural heritage, the definitions section in the proposed Provincial Planning Statement is largely reflective of what is in the current PPS, with some content removed, and some definitions being expanded upon. Staff did provide comments in some instances where it was felt clarification is needed within the definition.

Staff Comments:

For the Natural Heritage System definition: it would be helpful to identify which 'recommended approach' is being referenced in the last sentence.

For the Negative impacts definition, sec. a): it would be helpful to identify which 'Provincial standards' are being referenced in the last sentence?

For the Wetlands definition: reference to Ministry of Natural Resources and Forestry process and evaluation for identifying wetlands has been removed. In light of the removal from the definition of wetlands of the reference to the Ministry of Natural Resources and Forestry, the definition should clarify where the authority comes from to identify and designate wetlands moving forward.

General Comments

The last section of comments provided by Town staff were more general in relation to what might be lost if the Provincial Planning Statement is to consolidate the current PPS and Growth Plan. Specifically staff have noted existing policy content related to subwatershed planning and natural features from the Growth Plan that is not being brought into the Provincial Planning Statement.

Staff Comments:

Comment 1: Growth Plan policies specifically required watershed planning to be undertaken to inform the identification and protection of water resource systems, growth management, and other land use and infrastructure planning decisions, and Subwatershed planning to inform large-scale and site-specific land use planning decisions.

The new PPS continues to encourage watershed planning but removes this requirement. The Town's Official Plan recognizes the importance of watershed and subwatershed planning to serve as a guide for improving water quality, reducing flood damage, and protecting natural resources. Subwatershed plans are required to be in place prior to the approval of Secondary Plans that implement an Urban Boundary Expansion as a way to inform all planning decisions. The removal of this requirement in the PPS could limit a municipality's ability to implement effective policies for subwatershed planning.

In addition, development applications must conform with the recommendations made in an approved watershed and subwatershed plan. As part of the Development Application Process, a Subwatershed Impact Study (SIS) may be required to look in detail at the site-specific conditions and mitigate any potential impacts to the watershed. Town staff is of the opinion that Watershed Planning should continue to be a requirement particularly in growing municipalities. Watershed Planning will ensure the protection, conservation and sustainable management of natural resources and guide appropriate land use policies within areas designated for growth. The Town encourages the finalization of the proposed Provincial Subwatershed Planning Guide prepared in

January 2022 to serve as a guide to implement land use planning policies related to watershed and subwatershed planning in coordination with planning for water, wastewater and storm water servicing, water resources, drinking water source protection and climate change resilience.

Comment 2: There is a policy in the Growth Plan that speaks to natural heritage features that are not identified:

“3. Within the Natural Heritage System for the Growth Plan:

a) New development or site alternation will demonstrate that:

iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;”

Staff suggest adding a policy like the one above within the PPS to ensure that there is protection of natural heritage features that are not identified.