

ATTACHMENT 1. Policy Team-led TRCA Submissions to the Province, January 2017 to August 2018

DATE SUBMITTED	MINISTRY/ AGENCY ¹	RELATED LEGISLATION	PROPOSAL SUMMARY	TRCA KEY COMMENTS
Proposed Regulation for the Establishment of Requirements and Standards with Respect to Secondary Residential Units				
May 23, 2017	Ministry of Municipal Affairs	Planning Act	The proposed regulation set out requirements for second units referred to in the Planning Act with regard to parking spaces and occupancy and construction date of the primary building.	Staff supported the proposed regulation, but recommended more explicit reference to erosion hazards and floodprone areas as constraints that municipalities must consider when formulating or updating policies (in accordance with Provincial Policy Statement), and given that TRCA would not support the creation of secondary units within hazardous lands associated with valley and stream corridors and the Lake Ontario shoreline due to the increase in risk to life and property.
Excess Soil Management Regulatory Proposal				
June 30, 2017	Ministry of Environment and Climate Change (MOECC)	Environmental Protection Act	Based on the Excess Soil Management Policy Framework released in 2016, this proposal included the following components: <ul style="list-style-type: none"> • A proposed excess soil reuse regulation and amendments to existing regulations (non-regulatory language); • The development of reuse standards and excess soil sampling guidance; • Clarifying when waste approvals apply to excess soil and the requirement of an excess soil management plan. 	Staff were generally supportive of the proposal from the perspective of a fill manager on our own lands for beneficial re-use as well as a regulator under our s.28 Regulation, but recommended that the Province: <ul style="list-style-type: none"> • Direct municipalities and conservation authorities (CAs) to coordinate the regulation of fill, now that their jurisdictions can overlap; • Form an enforcement and compliance partnership between MOECC, MNRF, municipalities, and CAs; • Include source water protection considerations in the matching of source and receiving sites; • Reconsider the suitability of the proposed volume trigger for the preparation of an excess soil management plan, as smaller amounts can still have significant impacts; • Develop provisions for peer review of excess soil management plans.
Proposed amendments to the Conservation Authorities Act as part of Bill (139), the Building Better Communities and Conserving Watersheds				

¹ Ministry names used in this table are those in effect at the time of TRCA's submission.

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Act, 2017				
July 31, 2017	Ministry of Natural Resources and Forestry	Conservation Authorities Act	Two reports summarizing the proposal and TRCA's comments were brought to the Authority at the meetings held on June 23, 2017 (RES.#A113/17) and July 28, 2017 (RES.#A147/17), respectively. The reports are available at https://laserfiche.trca.ca/WebLink/0/edoc/1452956/Authority%202017.pdf , pp. 257-296 and pp. 402-411.	
Bill 139 – (Schedule 3) – the proposed Building Better Communities and Conserving Watersheds Act, 2017: Amendments to the Planning Act				
August 14, 2017	Ministry of Municipal Affairs	Planning Act, Local Planning Appeal Tribunal Act, Local Planning Appeal Support Centre Act and others	A report summarizing the proposal and TRCA's comments was brought to the Executive Committee at the meeting held on August 11, 2017 (RES.#B71/17). The report is available at https://laserfiche.trca.ca/WebLink/0/edoc/1452958/Executive%202017.pdf , pp. 351-361.	
Criteria, methods, and mapping of the proposed regional Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe				
October 4, 2017	Ministry of Natural Resources and Forestry	Places to Grow Act	A report summarizing the proposal and TRCA's comments was brought to the Authority at the meeting held on September 22, 2017 (RES.#A162/17). The report is available at https://laserfiche.trca.ca/WebLink/0/edoc/1452956/Authority%202017.pdf , pp. 449-463.	
Release of draft Agricultural System mapping and Implementation Procedures for consultation				
October 4, 2017	Ministry of Agriculture, Food and Rural Affairs	Places to Grow Act; Greenbelt Act	A report summarizing the proposal and TRCA's comments was brought to the Authority at the meeting held on September 22, 2017 (RES.#A162/17). The report is available at https://laserfiche.trca.ca/WebLink/0/edoc/1452956/Authority%202017.pdf , pp. 449-463.	
A Guide to Cultural Heritage Resources in the Land Use Planning Process				
November 17, 2017	Ministry of Tourism, Culture and Sport	Planning Act	The guide aids in the application of cultural heritage policies in the Provincial Policy Statement 2014 in the areas of: cultural planning and sense of place; protecting built heritage resources;	Staff recommended that the guide: <ul style="list-style-type: none"> • Describe engagement mechanisms for activities outside the Planning Act and elaborate on the leverage available under other legislation for cultural heritage resource protection; • Encourage timing cultural planning and studies early on

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			<p>conserving cultural heritage landscapes and archaeological resources; development and site alteration on adjacent lands to heritage property; community engagement, including with Aboriginal communities; and heritage impact assessments and conservation plans.</p>	<p>within the planning process;</p> <ul style="list-style-type: none"> • Encourage funding partnerships to preserve built assets; • Provide guidance on how to conserve cultural heritage resources “in situ”, particularly in redevelopment scenarios, and encourage flexibility in zoning to enable adaptive re-use of protected structures; • Reference CAs as a support to implementing cultural heritage policies.
A Call for Comments on the Draft 2041 Regional Transportation Plan				
November 17, 2017	Metrolinx	Metrolinx Act	<p>The Regional Transportation Plan for the Greater Toronto and Hamilton Area builds on The Big Move and aims to promote an integrated multi-modal regional transportation system. The draft plan was organized around five strategies:</p> <ol style="list-style-type: none"> 1) Complete delivery of current regional transit projects 2) Connect more of the region with frequent rapid transit 3) Optimize the transportation system, including integrating fares and first- and last-mile services 4) Integrate land use and transportation, including around transit stations and mobility hubs 5) Prepare for an uncertain future, including improving resilience to climate change impacts and transitioning to low-carbon transit vehicles. 	<p>Staff supported the emphasis on integration of land use and transportation, a complete streets approach, a regional cycling network, and climate resiliency. Recommendations included:</p> <ul style="list-style-type: none"> • Ensure transportation planning integrates TRCA review and emerging information from watershed plans and ecological systems mapping and pursues natural hazard remediation and natural heritage restoration with each new project, particularly those at risk for flood and/or erosion hazards; • Partner with TRCA and other infrastructure providers to protect, retrofit, and upgrade Metrolinx infrastructure; • Clarify Metrolinx, municipal, and CA roles for mobility hub planning and ensure that TRCA is involved as a partner; • Collaborate with TRCA and municipalities to integrate the regional trail network as a component of the regional transportation system and as a first-mile last-mile solution; • Investigate a system of “Living Green Corridors” whereby rail corridors could also be used as ecosystem connectors; • Incorporate green technologies into infrastructure improvements to reduce climate change impacts; • Emphasize the need to plan, build, and manage infrastructure in a way that avoids, minimizes, mitigates, restores and/or compensates for ecosystem impacts; • Commit to initiating/continuing compensation programs; • Develop a carbon and energy management strategy to transition to a low or zero emission transportation network.

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Parkway Belt West Plan Amendments				
November 20, 2017 Note: This proposal was posted on the Ministry's website, not on the ERO.	Ministry of Municipal Affairs	Ontario Planning and Development Act, 1994	Amendments were proposed to the Parkway Belt West Plan mapping to refine land use designation boundaries for precision based on surveys and to align the inter-urban transit designation with applications submitted by the Ministry of Transportation for the 407 Transitway.	The draft maps did not indicate the areas where amendments were being proposed, limiting staff's ability to comprehensively assess the proposed changes. Comments emphasized that: <ul style="list-style-type: none"> • If the current intent of the Plan is primarily to protect land for regional infrastructure, rather than to also serve as a public open space system, then TRCA-regulated and/or TRCA-owned lands should not remain within the Plan area; • Publicly owned lands within the Plan area should not be transferred to private ownership.
Greater Golden Horseshoe (GGH) Transportation Plan Long-Term Goals and Objectives				
December 21, 2017	Ministry of Transportation		The goals and objectives will guide the development of the GGH Transportation Plan. Objectives were proposed under eight goals for a transportation system that is: healthy, equitable, environmentally sustainable, economically responsible, resilient, prosperous, integrated, and connected.	TRCA recommended that the objectives: <ul style="list-style-type: none"> • Include reference to preserving natural systems and wildlife passage and to ecosystem compensation to achieve a net gain/no net loss of natural areas in transportation planning; • Specify that transportation design avoid natural features and hazards and allow for the conveyance of storm events in order to manage climate change-related risks; • Include the objective of integrating pedestrian and cycling facilities into planning and construction of new and redeveloped communities.
Proposed new regulation under the Planning Act to prescribe transitional provisions for the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139); and Proposed amendments to matters included in existing regulations under the Planning Act relating to the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139)				
January 19, 2018	Ministry of Municipal Affairs	Planning Act	The proposed transition regulation set out rules for planning matters in process at the time of proclamation of Bill 139 regarding changes from the Ontario Municipal Board to the Local	TRCA recommended that the Province proclaim Bill 139 to be in force at the earliest possible date to reduce the potential number of appeals under the previous Ontario Municipal Board regime. Regulatory text was not released for consultation. The submission reiterated comments previously made:

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			<p>Planning Appeals Tribunal. Amendments to existing regulations would update the information required in a complete planning application and the materials required to be submitted in an appeal; and requirements for giving notice.</p>	<ul style="list-style-type: none"> • Require municipalities to consult CAs during prior to deeming an application “complete” to ensure the inclusion of required technical work to support an application; • Require that CAs be circulated on notices of appeal when their areas of interest are affected; • Provide guidance on operationalizing the conformity/ consistency tests and clarify Provincial involvement in a hearing to represent the provincial interest.
Ontario’s Long Term Infrastructure Plan 2017				
February 8, 2018	Ministry of Infrastructure (MOI)	Infrastructure for Jobs and Prosperity Act	<p>The Long Term Infrastructure Plan set forth a vision for Ontario infrastructure planning and investment and articulated the need for the Province to be able to adapt to future changes in demographics, disruptive technology and climate, and moved towards the establishment of an asset inventory recording the age, condition and value of Ontario’s infrastructure assets.</p> <p>The LTIP also proposed to advance infrastructure planning and delivery in relation to:</p> <ul style="list-style-type: none"> • Integrating life-cycle assessment into infrastructure planning, procurement, business case development and decision making ; • Developing a Community Benefits Framework and related pilot projects; a broadband strategy; and a Social Purpose Real Estate 	<p>TRCA supported many parts of the plan, including climate change mitigation and adaptation; the one-dig policy; emphasis on life-cycle analysis; coordination of infrastructure planning and delivery among all orders of government; and a multi-objective lens to infrastructure investment. TRCA recommended that the Plan:</p> <ul style="list-style-type: none"> • Incorporate direction for infrastructure to avoid natural features and natural hazards or seek opportunities for mitigation, compensation, restoration and remediation; • Support programs aimed at improving energy efficiency and reducing greenhouse gas emissions in existing infrastructure and emphasize the need to invest in the ongoing maintenance and upgrading of existing infrastructure to achieve these aims; • Reference requirements of the Growth Plan and Provincial Policy Statement to direct development away from natural hazards and to undertake watershed planning and stormwater management to support the direction to align infrastructure and land use planning; • Incorporate a requirement for life cycle assessment to be built into the environmental assessment process; • Emphasize the utility of, and provide dedicated funding for, green infrastructure solutions for climate change adaptation; • Include trails in the definition of provincial assets; • Include expansion of the natural heritage system as a key activity to increase resilience in the face of urban expansion; • Acknowledge the Province’s intention to explore options for

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			Strategy that embeds community and social needs into decision-making on surplus properties and infrastructure planning.	<p>updating provincial funding to help finance CA programs. TRCA also recommended:</p> <ul style="list-style-type: none"> • The Ministry of Transportation engage in partnership opportunities with TRCA, including through TRCA's Voluntary Project Review process, and meet Metrolinx's standards for natural heritage, natural hazard, and water management impact assessments; • MOI provide directional leadership in aligning infrastructure with the land use planning framework; • The Province consider a model for surplus properties that includes pre-planning with environmental and sustainability objectives before selling to developers.
Proposed Methodology for Land Needs Assessment for the Greater Golden Horseshoe				
February 28, 2018	Ministry of Municipal Affairs	Places to Grow Act	The proposed methodology outlined the steps to determine land need for jobs and housing based on intensification and density targets as per the Growth Plan, 2017, which requires upper- and single-tier municipalities to use a standard method to assess the quantity of land needed to accommodate forecasted growth to 2041 and the need for an urban boundary expansion.	<p>TRCA supported moving to a consistent methodology to assess land needs, but recommended that it:</p> <ul style="list-style-type: none"> • Encourage municipalities to account for CA regulations during the process of allocating housing units in rural areas with existing development permissions; • Provide clarity on 'net outs' in determining designated greenfield area capacity and advise municipalities to consult CAs for up-to-date floodplain mapping; • Recognize watershed planning as integral to determining the location of any settlement area boundary expansion; • Provide guidance on next steps after the assessment, including assessing options for making land available.
Protecting Water for Future Generations: Growing the Greenbelt in the Outer Ring				
March 7, 2018	Ministry of Municipal Affairs	Greenbelt Act	The proposal outlined a study area in the north and west portions of the outer ring of the Greater Golden Horseshoe, based on the presence of moraines, coldwater streams, and wetlands, for consideration for Greenbelt expansion to protect	<p>In general, TRCA supports expansion of the Greenbelt. Key recommendations for this initiative included:</p> <ul style="list-style-type: none"> • Specify the goals and objectives for this expansion initiative; • Use additional types of data and analysis, including finer-grained analysis of growth pressures and water resource vulnerability/capacity, as well as climate change vulnerability data, in the determination of priority expansion areas;

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			water features in areas with high growth pressures.	<ul style="list-style-type: none"> Consider adding rivers that flow through urban areas as Urban River Valleys.
Excess Soil Management Regulatory Proposal				
June 15, 2018	Ministry of Environment and Climate Change	Environmental Protection Act	<p>The updated proposal included:</p> <ul style="list-style-type: none"> A new regulation which requires the preparation of an excess soil management plan and clarifies when excess soil is designated as waste Amendments to the Waste regulation and the Record of Site Condition regulation Rules for On-Site and Excess Soil Management to support the new regulation Beneficial Reuse Assessment Tool to increase flexibility for reuse on site-specific basis Rationale Document for Development of Excess Soil Standards 	<p>In general, TRCA supports the Province's move to regulate the management of excess soil. Comments stressed the need for review, enforcement, and compliance provisions to enable effective regulation. Key recommendations included:</p> <ul style="list-style-type: none"> Reduce volume trigger for the excess soil management plan requirement, which increased from 1000m² of excess soil in the previous proposal to 2000m²; Establish an excess soil management plan review process and multi-agency enforcement and compliance partnerships to ensure proper implementation; Require information about the quality of soil placed at each reuse site to be made available; Allow flexibility for the assessment of salt-impacted excess soil destinations to account for variations in source and reuse site conditions as proposed rules are too prescriptive; Align the definition of "environmentally sensitive areas" with existing provincial legislation, plans, and policies.
Draft Guidance to Support Implementation of the Growth Plan for the Greater Golden Horseshoe, 2017: Application of the Intensification and Density Targets & The Municipal Comprehensive Review (MCR) Process				
June 19, 2018	Ministry of Municipal Affairs	Places to Grow Act	<p>The Draft Guidance on the Application of the Intensification and Density Targets specified the purpose, application, measurement, minimums, and implementation guidelines for the designated greenfield area density, intensification, employment area density, urban growth centre density, and major transit station area density targets</p>	<p>Draft Guidance on the Application of Intensification and Density Targets:</p> <ul style="list-style-type: none"> Direct upper-tier municipalities to provide direction to lower-tier municipalities on the planning of intensification areas that cross jurisdictional boundaries to improve coordination; The narrow scope of exclusions – only those lands in natural heritage features, areas, and systems and floodplains where development is specifically prohibited – from the designated greenfield area density calculation may signal that other sensitive lands (e.g. vegetation protection zones) may be

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			<p>and density targets for other strategic growth areas.</p> <p>The Draft Guidance on the MCR Process provided information on roles, transition, engagement, background studies and sequencing with regard to the MCR and descriptions of key Growth Plan policies to be implemented through an MCR.</p>	<p>open to development. Clarify the intent with regard to development in these other areas and how the “where development is prohibited” provision should be interpreted;</p> <ul style="list-style-type: none"> • The guidance directs municipalities, in planning for intensification and growth areas, to account for SPAs as areas where development opportunities are limited. Other such areas, such as natural features and hazard areas, should also be highlighted as areas of constraint. <p>Draft Guidance on the MCR Process:</p> <ul style="list-style-type: none"> • Watershed planning should be referenced as a key input to infrastructure plans and determination of the urban structure; • Direct municipalities to exclude lands constrained due to natural features or hazards from strategic growth areas; • Direct upper-tier municipalities to work extensively with their lower-tier municipalities to refine provincial natural heritage system and agricultural system mapping; • Provide resources on Indigenous engagement.
Agricultural Impact Assessment (AIA) Guidance Document				
July 13, 2018	Ministry of Agriculture, Food and Rural Affairs		<p>The draft document provided guidance on the implementation of new policies relating to AIAs in the four updated provincial plans. It included a definition of an AIA and provincial requirements; technical guidelines and information to include in an AIA; and discussion of mitigation measures to avoid, minimize and mitigate impacts on agriculture.</p>	<p>TRCA recommended:</p> <ul style="list-style-type: none"> • Additional guidance on the assessment of impacts, including weighting of impacts and determination of thresholds for project viability, to increase consistency in implementation; • Provincial/municipal oversight or a tracking system to account for cumulative impacts to the agricultural system; • Directing proponents to consult local agricultural organizations at an early stage rather than after impacts have been identified; • Strengthening language around monitoring and performance measurement to ensure intended outcomes.
Developing a Voluntary Carbon Offsets Program for Ontario (TRCA review led by Watershed Strategies Division)				
January 15, 2018	Ministry of Environment		<p>Summary of the government’s proposal is at ERO#013-1634. Copy of TRCA submission available through TRCA Watershed Strategies Division</p>	

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	and Climate Change			
Ontario's Approach to Climate Change Adaptation (TRCA review led by Watershed Strategies Division)				
January 19, 2018	Ministry of Environment and Climate Change		Summary of the government's proposal is at ERO#013-1520. Copy of TRCA submission available through TRCA Watershed Strategies Division	
Draft Watershed Planning Guidance Document (TRCA review led by Watershed Strategies Division)				
April 7, 2018	Ministry of Environment and Climate Change	Places to Grow Act	A report summarizing the proposal and TRCA's comments was brought to the Authority at the meeting held on March 23, 2018 (RES.#A20/18). The report is available at: https://pub-trca.escribemeetings.com/FileStream.ashx?DocumentId=86 , pp. 37-43.	