

### Section I – Items for Board of Directors' Action

**TO:** Chair and Members of the Board of Directors  
Meeting #2/19, Friday, February 22, 2019

**FROM:** Laurie Nelson, Interim Director, Policy Planning

**RE:** **TRCA DRAFT COMMENTS TO ENVIRONMENTAL REGISTRY OF ONTARIO (ERO)**  
**Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (#ERO 013-4504)**  
**Proposed Modifications to O. Reg. 311/06 (Transitional Matters – Growth Plans) made under the Places to Grow Act, 2005 to implement the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO # 013-4505)**  
**Proposed Framework for Provincially Significant Employment Zones (ERO #013-4506)**  
**Proposed Modifications to O. Reg. 525/97 (Exemption from Approval – Official Plan Amendments) made under the Planning Act to implement the Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO #013-4507)**

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#### KEY ISSUE

Toronto and Region Conservation Authority's draft comments on the Government of Ontario's proposed amendments to the Growth Plan for the Greater Golden Horseshoe, 2017 and associated proposed implementing framework and regulations.

#### RECOMMENDATION

**WHEREAS** the Province of Ontario has posted the proposed amendments to the Growth Plan for the Greater Golden Horseshoe, 2017, for public comment on the Environmental Registry of Ontario (ERO);

**AND WHEREAS** the ERO imposes a February 28, 2019 deadline for submission of comments to the Province;

**THEREFORE LET IT BE RESOLVED THAT** the Toronto and Region Conservation Authority (TRCA) staff report and draft comments on the Ontario government's proposed amendments to the Growth Plan for the Greater Golden Horseshoe, 2017, be received and that any comments from the Board of Directors be considered in informing TRCA's final ERO submission;

**AND FURTHER THAT** municipal partners and Conservation Ontario be so advised.

#### BACKGROUND

On January 15, 2019, the Ministry of Municipal Affairs and Housing released a proposed amendment to the Growth Plan for the Greater Golden Horseshoe for public comments on the Environmental Registry of Ontario (ERO), due February 28, 2019. Conservation Ontario is coordinating a response on behalf of all 36 conservation authorities in addition to the submissions made by individual conservation authorities. The Ministry states that the

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amendment is proposed to address, “policies seen as potential barriers to the development of housing, job creation and business attraction.” The Ministry states that the changes are intended to streamline growth management in order to achieve the following outcomes:

- More streamlined process (faster municipal implementation of the plan);
- More land for housing (more flexibility for additional greenfield development);
- More housing and jobs near transit (increase the supply of housing and jobs near transit infrastructure);
- Greater flexibility for municipal implementation (municipal implementation to better reflect local context).

The four items being circulated for comment concern [amendments to the Growth Plan for the Greater Golden Horseshoe \(Growth Plan\), modifications to transitional matters surrounding growth plans, designation of provincially significant employment zones, and potential exemptions from the need for the Minister’s approval of official plan amendments to aid the implementation of refinement policies for the Agricultural System and Natural Heritage System.](#)

The Growth Plan amendment contains new and revised policies within the framework of the existing Growth Plan across the following six general categories:

1. Employment Planning,
2. Settlement Area Boundary Expansions,
3. Rural Settlements,
4. Natural Heritage and Agricultural Systems,
5. Intensification and Density Targets, and
6. Major Transit Station Areas.

TRCA staff have reviewed the proposed amendments and drafted comments based on staff’s day-to-day work in support of our municipal partners to implement the Growth Plan. TRCA has an ongoing interest in the amendments proposed given our roles as a resource management agency, a regulator under Section 28 of the *Conservation Authorities Act*, and a public commenting body under the *Planning Act* and the *Environmental Assessment Act*.

Some of the key changes to the Growth Plan policies being proposed through the amendments and their associated potential implications for TRCA are as follows:

- **Lower density and intensification targets** – this may require additional land to accommodate forecasted growth, which has implications for stormwater management and puts pressure on allowing development and servicing into the natural heritage system.
- **Settlement area boundary expansions, of up to 40 hectares, outside of a Municipal Comprehensive Review (MCR)** – the amendments are silent on whether this is a one-time exemption. Repeated, large scale, stand-alone approvals without early and comprehensive planning risks impacts to natural hazards, natural heritage and water resources.
- **Employment land conversion outside of an MCR** – employment lands could be converted to other uses outside of an MCR, which risks over-conversion and a need for more urban boundary expansions along with updates to environmental studies for any lands that are converted.

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- **Major Transit Station Areas (MTSAs) delineation and expansion outside of an MCR** – a number of MTSAs in TRCA's jurisdiction are located within hazardous lands and should be subject to criteria for managing natural hazards, natural heritage and water resources.
- **Natural Heritage Systems mapping** – allowing municipalities to refine the Province's natural heritage system (NHS) mapping at the time of initial implementation in their official plans, rather than only during an MCR, better acknowledges municipal and conservation authority NHS mapping efforts.
- **Removal of the explicit need for watershed planning to inform infrastructure planning and settlement area boundary expansions** – development and infrastructure planning in the absence of watershed planning risks impacts to natural heritage, natural hazards and water resources and may lengthen subsequent approval processes.

### RATIONALE

TRCA provides technical support to its municipal partners in growth planning and in implementing the natural heritage, natural hazard and water resource policies of the Growth Plan, the Provincial Policy Statement and other provincial plans. In working with approval authorities, private and public proponents, TRCA supports comprehensive planning to ensure that development and infrastructure are adequately set back and protected from natural hazards and environmentally sensitive areas. We also collaborate with our provincial and municipal partners to seek opportunities for remediation and restoration to reduce risk and increase resiliency where comprehensive redevelopment/community revitalization is proposed that includes areas of historical residential development within the flood hazard. In this way, increased growth is facilitated while risk is reduced and provincial and municipal policies for public safety and environmental protection are upheld.

TRCA is most successful at facilitating growth when the conservation authority, municipal partners and the development industry take a comprehensive, creative and collaborative approach early in the process. Amendments to the Growth Plan that add flexibility and streamlining can be positive in order to recognize local contexts, but a number of issues of interest to TRCA's mandate are better identified through a comprehensive planning exercise at the early stages of the planning process. Repeated, large scale, stand-alone approvals that the proposed Plan amendments contemplate could exacerbate natural hazards and create negative impacts to natural heritage and water resources in areas where comprehensive planning has not occurred. As such, TRCA has the following recommendations, as detailed in the attached draft comments (Attachment 1):

1. Given that the stated intent of the Growth Plan is to make use of existing urban land supply and to focus less on continuously expanding the urban area, TRCA recommends that:
  - a) the standard for upper and single-tier municipalities in the inner ring be maintained for minimum intensification targets and minimum density targets in designated greenfield areas, and
  - b) additional policies be established to help facilitate removal of barriers to the redevelopment of existing, underutilized properties within the urban boundary, to achieve density and intensification targets. Such redevelopments should be encouraged to undertake comprehensive planning up front for growth areas to help fast-track site plan applications that follow, and to co-locate public services such as stormwater management, low impact development facilities, recreation and open

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space. Policies should be included to ensure an equitable approach to working with landowners and other stakeholders, early in the development process, to achieve more sustainable communities and include infrastructure upgrades to facilitate more sustainable infill development.

2. Please confirm whether a revised land needs assessment methodology will be released which nets out natural system lands, the requirements and implications for in-process or completed land needs assessments and/or new or additional study requirements that will be required for hamlets and rural areas that have not been subject to previous studies.
3. Given that the amended Plan's maintained intent speaks to the issue of unmanaged growth and its adverse effects, TRCA recommends that the Province remove the permission to expand settlement boundaries outside of an MCR. Should the exemption remain, the Plan should specify a one-time exemption rule for a settlement area expansion in advance of the MCR process.
4. TRCA recommends that the Province clarify that the criteria for urban boundary expansions apply to expansions undertaken both inside and outside the MCR process, if the direction to allow an expansion outside of the process is maintained.
5. The Province should define "significant amount of jobs" and introduce restrictions on land use conversions outside an MCR, such as additional criteria on location and requirement for comprehensive environmental studies (e.g., Master Environmental Servicing Plans), "capping" the size of areas to be converted and placing a one-time exemption limit on these conversions.
6. The Growth Plan policies protecting provincially significant employment zones should have more defined mapping and criteria added for lands subject to natural hazards and/or within the natural heritage system that must be set aside from development. The employment policies should also encourage preparation of comprehensive stormwater management plans, earlier in the process, to ensure protection of these features and functions without creating new hazards or aggravating existing hazards and to facilitate more timely reviews and approvals when site plans are submitted.
7. TRCA recommends that if the determination of MTSAs and their density targets are excused from the MCR process, that the determination be subject to meeting criteria for addressing natural hazard management, natural heritage, and water resources protection.
8. While allowing upper-tier municipalities to undertake initial implementation separately for each lower-tier municipality provides flexibility and could result in a more thorough initial implementation (as lower-tiers would not be rushed to complete it on the upper-tiers' schedule), TRCA suggests the Plan direct upper-tier municipalities to coordinate among their lower-tier municipalities and conservation authority partners to ensure that areas crossing jurisdictional boundaries are considered in an integrated way during refinement and implementation of the NHS mapping.
9. As TRCA recommended to the Province in 2015, the Growth Plan should require consideration of the threshold capacity of the watershed, including targets established in watershed/subwatershed plans, when directing growth to ensure that additional servicing capacity can be accommodated without compromising ecosystem function and the water

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resources system. Therefore, the Province should maintain the requirement for watershed planning in 3.2.1.2 to inform infrastructure planning.

10. TRCA recommends that the Province retain the original wording of 4.2.1.2 to require municipalities to include the appropriate designations and policies for water resource systems in their official plans and zoning by-laws.
11. TRCA recommends that the province retain “watershed planning or equivalent” in the wording of 2.2.8.3 d) to ensure that municipalities understand the connections between the Settlement Area Boundary Expansion policies and the Water Resource System policies in section 4.2.1.
12. The Province should define any new terms or measures introduced through the amendments, so that the requirements and objectives of the Plan are clearly set out for approval authorities and proponents.
13. Overall, TRCA recommends as much clarity as possible in the Plan, at minimum, through additional criteria to safeguard against the environmental risks associated with proposed approvals outside of an MCR, if this approach is maintained.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 2 – Manage our regional water resources for current and future generations

Strategy 4 – Create complete communities that integrate nature and the built environment

Strategy 12 – Facilitate a region-wide approach to sustainability

### **FINANCIAL DETAILS**

Staff are engaged in this policy analysis work per the normal course of duty. No additional funding is proposed to support the policy analysis work associated with the preparation of these comments.

### **DETAILS OF WORK TO BE DONE**

Upon endorsement by the Board of Directors, and recognizing any input received of the staff comments, the attached draft comment letter will be updated and submitted as TRCA’s official comments to the ERO. Staff will continue to brief the Board on other legislative changes that result from this circulation.

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**Date: February 19, 2019**

**Attachments: 1 “Draft TRCA Comments – Growth Plan 2019.pdf”**