



July 31, 2020

BY E-MAIL ONLY (sandra.bickford@ontario.ca)

Sandra Bickford
Ontario Growth Secretariat
777 Bay Street, Suite 2304
Toronto, Ontario M7A 2J8

Dear Ms. Bickford:

Re: Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (ERO #019-1680)

Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe (ERO #019-1679)

Thank you for the opportunity to comment on the Ministry of Municipal Affairs and Housing's Environmental Registry (ERO) postings on the proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the proposed Land Needs Assessment Methodology.

The Toronto and Region Conservation Authority (TRCA) conducts itself in accordance with the objects, powers, roles and responsibilities set out for conservation authorities (CA) under the *Conservation Authorities Act* and the MNRF Procedural Manual chapter on CA policies and procedures for plan review and permitting activities, as follows:

- A public commenting body under the *Planning Act* and *Environmental Assessment Act*;
- An agency delegated the responsibility to represent the provincial interest on natural hazards under Section 3.1 of the Provincial Policy Statement;
- A regulatory authority under Section 28 of the *Conservation Authorities Act*;
- A service provider to municipal partners and other public agencies;
- A Source Protection Authority under the *Clean Water Act*;
- A resource management agency; and
- A major landowner in the Greater Toronto Area.

In these roles, and as stated in "A Made-In-Ontario Environment Plan," conservation authorities work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, and to conserve natural resources. Through Memorandums of Understanding and Service Level Agreements, TRCA provides technical support to its provincial and municipal partners in implementing municipal growth management policies. Further, TRCA recognizes the importance of efficiency, certainty, transparency and accountability in planning and design review processes, so that development and infrastructure projects can occur in a timely and environmentally sustainable manner.

Government Proposal

We understand Amendment 1 proposes changes to the population and employment forecasts, the horizon year for planning, and other policies in the Growth Plan to increase housing supply, create jobs, attract business investment and better align with infrastructure.

We understand the government is also consulting on a new Land Needs Assessment Methodology for the Greater Golden Horseshoe, which supports the implementation of the Growth Plan. Growth Plan policy 2.2.1.5 of the Plan requires upper- and single-tier municipalities to use the Methodology issued by the Minister to assess the quantity of land required to accommodate forecasted growth to the horizon of this Plan. This posting presents the new outcome-based Methodology that, if approved, would replace the existing Methodology. A simplified approach to land needs assessments that reduces the overall complexity of implementation of the Plan is being proposed to provide more flexibility to municipalities.

General Comments

TRCA staff have reviewed the proposed Amendment 1 and the revised Land Needs Assessment Methodology and offer the following comments organized by the areas of change for which we are providing input.

TRCA understands the importance of stimulating growth in the Greater Golden Horseshoe as part of the economic recovery from the COVID-19 crisis, but this should not come at the expense of the fundamental principles of the Growth Plan for “protecting what is valuable”. The proposed amendments would benefit from a more balanced approach for considering social, economic and environmental interests. If, as stated in the Growth Plan, communities and infrastructure are going to be adapted to be more resilient, greenhouse gas emissions across all sectors of the economy are to be reduced, and valuable water resources and natural areas are to be protected, then strong direction is needed for municipalities to be able to determine that their growth forecasts and land needs can be accommodated while protecting water resources, natural heritage and managing impacts from natural hazards. The protection of these valuable natural resources within and outside the Protected Countryside of the Greenbelt, must be maintained in order to implement provincial policies for “preparing for the impacts of a changing climate.”

Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe	
Proposal	Comments
Growth Forecasts for the Greater Golden Horseshoe - Changes to the text of the Growth Plan to extend the Plan’s horizon to 2051 and provide clarity regarding the application of Schedule 3 to 2051 - A new Schedule 3 to replace the existing Schedule 3 and Schedule 7 in the Growth Plan. The new Schedule 3 includes population and employment forecasts for	TRCA is concerned that the proposed ability for a municipality to exceed the revised forecasts may encourage larger scale and more frequent requests for Settlement Area Boundary Expansions (SABE) in advance of the completion of comprehensive studies (e.g., watershed and subwatershed studies) that help determine natural heritage, infrastructure and water management constraints and opportunities. In our jurisdiction we also note and would recommend policy to stave off requests e.g., the recent Dorsay request for Minister’s Zoning Orders (MZO) outside of the Municipal Comprehensive Review (MCR) process. The proposed ability to exceed targets, combined with the previously approved Plan amendments of reduced density targets, appears inconsistent with the intent of the Growth Plan to avoid unmanaged growth, promote intensification and limit

upper- and single-tier municipalities to 2051. Revised population and employment forecasts in Schedule 3 shall be minimums that municipalities may exceed through a Municipal Comprehensive Review.	land and resource use. With the proposed amendments both SABEs and MZOs can take place outside of the MCR process causing potential disruptions in the orderly management of land. With the proposed amendments, the comprehensive studies that normally occur within an MCR would be circumvented by development and servicing schemes and proposals that may not take into consideration the larger context of the watersheds and systems being affected by them. TRCA is currently working with several of its municipal partners to support them in the integrated growth management work they are undertaking through their MCRs. While section 2.2.8.5 of the Growth Plan states that SABEs outside of an MCR process are still required to follow environmental impact criteria set out in 2.2.8.3, including that the expansion be informed by sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the Provincial Policy Statement (PPS), we would discourage expansions outside of the MCR process. If the government decides to proceed with this amendment despite the concerns being raised by our municipal partners, given the importance of these requirements for the feasibility, planning and design of development and servicing, additional detail and policies requiring more comprehensive prerequisite studies e.g., watershed and subwatershed plans, master environmental servicing plans, etc. should be more prominently positioned and emphasized within an updated Growth Plan to ensure conformity and implementation. In TRCA's experience, there is significant development pressure to locate infrastructure in the natural heritage system and natural hazard lands, as well as for site alteration and grading to occur, within areas of the system intended to function as vegetation protection zones. A robust natural heritage system is a valuable public service required to combat the impacts of urbanization and climate change and offers respite and nature-based recreational opportunities for the growing population as evidenced by the increased use of these areas during the COVID-19 pandemic. Accordingly, stronger and more specific direction is needed for limiting land and resource use within the natural heritage system and for mitigation of impacts within the natural heritage system. Such policies should state that development and servicing should avoid the natural heritage system, where possible, including hazardous lands, and associated Vegetated Protection Zone (VPZs), and further, that development and infrastructure should meet stormwater management (SWM)
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	criteria for water quality, quantity, erosion, and water balance (for natural features and drinking water sources). We note that the Plan contains policies for watershed planning prior to SABEs within or outside of an MCR process but these policies do not address erosion or water balance, which can be major impacts of urbanization. Further, the Plan’s definition of Sub-watershed Planning should be highlighted in the policies, i.e., “integrated with natural heritage protection” and “identifies specific criteria, objectives, actions, thresholds, targets, and best management practices to support ecological needs.” TRCA is supportive of maintaining Growth Plan policies promoting SWM master planning and Low impact Development (LID) measures (e.g., 2.2.1.4, 3.1, 3.2.7, 4.2.1.10), and we are pleased that these are not proposed to be changed. In TRCA’s experience, however, we note that many municipalities can be reluctant to permit LID measures for SWM beyond conventional conveyance techniques, especially on public lands citing insufficient research and information on the long-term use and maintenance of these technologies. This tends to result in LID measures being situated on private lands where there is a risk of such features eventually being altered or removed. Better implementation of the SWM and LID Growth Plan direction could result if policies were added that more specifically direct municipalities to examine options for LIDs within private and public lands. For example, the policies could direct an examination of the co-location of compatible public service facilities where feasible (e.g., SWM in and around parks). This would in turn encourage municipalities to help ensure that their public lands and infrastructure, including transportation corridors, are resilient to the effects of urbanization and the compounding effects of climate change. The TRCA Sustainable Technological Evaluation Program (STEP) has worked with industry to pilot and conduct research on LID technologies that may be useful to examine if the government would like to provide more prescriptive and directive policy on LIDs. Such a move would likely be positively received by industry stakeholders and environmental agencies including conservation authorities.
Aggregate Mineral Resources Extraction Changes to the text of the Growth Plan to remove the prohibition on new mineral aggregate operations,	It should be clarified that the reference in this amendment to the Natural Heritage System for the Growth Plan is still applicable only to lands outside the Greenbelt Plan Area and outside of Settlement Area boundaries that were approved and in effect as of July 1, 2017. This is particularly important given that policy 4.2.2.6 of the Plan states that beyond the Natural

wayside pits and quarries from habitats of endangered species and threatened species within the Natural Heritage System for the Growth Plan	Heritage System for the Growth Plan, including within settlement areas, the municipality: a) will continue to protect any other natural heritage features and areas in a manner that is consistent with the PPS. The rationale for this amendment is stated in the ERO posting as proximity to market, but we question how it reconciles with the environmental protections in the Growth Plan, the PPS, the <i>Endangered Species Act</i> (ESA) and other provincial plans and regulations. It may be helpful if the analysis that led to this proposed change were shared. For example, in our jurisdiction it is unclear what species and what areas would be affected. Moreover, given that the ESA would continue to apply for aggregate mineral resource extraction uses, this change would likely cause uncertainty for stakeholders. TRCA recommends the prohibition in Growth Plan policy 4.2.8.2 for these habitats be maintained or at minimum, the permission be contingent on demonstration of no reasonable alternative locations, minimizing, mitigating and/or compensating for the impacts to species and their habitats with more stringent rehabilitation requirements of a net ecological gain.
Provincially Significant Employment Zones/Major Transit Station Areas Changes to the text of the Growth Plan to permit municipalities to undertake employment area conversions outside the municipal comprehensive review for lands that are identified as provincially significant employment zones (PSEZs) and within major transit station areas (MTSAs)	To avoid impacts to people and property due to flooding and erosion while supporting transit-oriented development, clear provincial direction is needed for addressing natural hazards in the conversion of PSEZs to non-employment lands within MTSAs. Many of these areas in our jurisdiction are older brownfield or greyfield areas. A number of these higher order transit stops in TRCA's jurisdiction fall within areas subject to flooding, and similar to employment lands, typically consist of a higher proportion of impervious surface. Developing employment uses or non-employment uses within MTSAs must account for natural hazards, whether identified outside or inside of an MCR process.

Land Needs

The proposed Land needs Assessment Methodology should be revised to specifically direct the removal of natural heritage system lands and lands subject to natural hazards from the developable area in accordance with Growth Plan policy 2.2.7.3 "The minimum density target will be measured over the entire designated greenfield area of each upper- or single-tier municipality, excluding the following: a) natural heritage features and areas, natural heritage systems and floodplains, provided development is prohibited in these areas."

Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe	
Proposed Methodology	Comments
Purpose and Objectives	The methodology states that municipalities must consider a number of key factors to ensure that a sufficient and appropriate mix of land is available but does not include the environment among these factors. Growth Plan policy 2.2.7.3, cited above, should be emphasized as a premise to the consideration of all other factors. Adequate greenspace planning/allocation, including trails, should also be considered key, especially within urban areas. This priority need has become more apparent during the COVID-19 pandemic.
Implementation and Conformity	The proposed methodology is much less detailed than the previous (2018) methodology. While this provides more flexibility to municipalities, the risk is that it will be inconsistently applied across the GGH. The broad approach using higher growth forecasts and the previously lowered density targets could lead certain jurisdictions into an unsustainable development pattern rather than a focus on intensification and complete communities.
Timeframes	Applying the LNA Methodology is one of the required components in an MCR process. TRCA has an interest in ensuring that municipalities conform to the watershed planning policies of the Growth Plan taking into account environmental take-outs, (i.e., policy 2.2.7.3), for the LNA within the MCR timeline. It would be beneficial for certainty and streamlining for all stakeholders if the Province were to provide a procedural guidance document in this regard. These guidance documents were part of the Coordinated Plan review recommendations. We note that the MECP Watershed Planning Guidance draft was never finalized despite watershed planning remaining within the PPS and recommendations of the Provincial Flood Advisor which speak to the importance of watershed planning.

TRCA DRAFT Recommendations

On the basis of the above comments, TRCA recommends that the Growth Plan amendments and the proposed Land Needs Assessment Methodology be revised to:

- 1) Place greater emphasis on policies requiring watershed planning and subwatershed planning to assess the impacts of development and infrastructure on the environment to inform growth and infrastructure planning.
- 2) Maintain the prohibition on new mineral aggregate operations within habitats of Endangered and Threatened species within the Natural Heritage System of the Growth Plan.

- 3) Barring recommendation (2), at minimum, require that permission for incursions into the natural heritage system be contingent on demonstration of no reasonable alternative locations and minimizing, mitigating or if necessary, compensating for the impacts to species and their habitats with more stringent rehabilitation requirements of a net ecological gain.
- 4) Require avoidance of natural hazards and remediation where avoidance is not possible, in the conversion of Provincially Significant Employment Zones to non-employment lands within Major Transit Station Areas. This could include encouraging the use of tools such as specific development charges or levies, among others, to complete required flood protection infrastructure as a catalyst to facilitate development, while reducing or eliminating flood risk.
- 5) Specifically direct the removal of natural heritage system lands and lands subject to natural hazards from the developable area in accordance with Growth Plan policy 2.2.7.3 in the proposed Land Needs Assessment Methodology
- 6) Utilize TRCA STEP research, guidelines and protocols to include more details on comprehensive studies and LID measures that should accompany SABEs, major redevelopment and intensification in flood prone areas or that may impact or exacerbate hazards in downstream areas.

Thank you once again for the opportunity to provide comments on the proposed Amendment 1 to the Growth Plan. Should you have any questions, require clarification on any of the above, or wish to meet to discuss our remarks, please contact the undersigned at 416.667.6290 or at john.mackenzie@trca.ca.

Sincerely,

<Original signed by>

John MacKenzie, M.Sc.(Pl), MCIP, RPP
Chief Executive Officer

BY E-MAIL

cc:

TRCA: Laurie Nelson, Director, Policy Planning
Sameer Dhalla, Director, Development and Engineering Services