

December 19, 2022

**DELIVERED BY EMAIL**

Provincial Land Use Plans Branch  
13th Flr, 777 Bay St  
Toronto, ON M7A 2J3  
Email: [growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)

**Re: Review of a Place to Grow and Provincial Policy Statement ERO Number 019-6177**

---

The Canadian Environmental Law Association (“CELA”) is opposed to combining *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* with the *Provincial Policy Statement*, and to any further diminishment of protections for natural heritage features and agricultural lands in Ontario.

**The Growth Plan was Created to Better Protect Natural Heritage Features and Agricultural Systems in the Greater Golden Horseshoe**

The *Places to Grow Act* (“PGA”) was enacted to direct growth away from important agricultural lands and natural heritage areas. The *PGA* directs where and how urban growth should occur.<sup>1</sup>

The Greater Golden Horseshoe covers a large and populous area of the province, which consists of the geographic areas of Brant, Dufferin, Durham, Haldimand, Halton, Hamilton, Kawartha Lakes, Niagara, Northumberland, Peel, Peterborough, Simcoe, Toronto, Waterloo, Wellington, and York.<sup>2</sup> Many of Ontario’s most significant ecological and hydrologic natural features are in the Greater Golden Horseshoe.<sup>3</sup> There are also significant development pressures in this area of the province.

The Hansard debates for the first and second reading of the *PGA* reflect the need to better protect natural heritage resources and agricultural lands from development. When it was first introduced in the Legislature in 2004, the Minister of Public Infrastructure and Renewal made the following comments, which remain apposite today:

This proposed legislation will ensure that whatever we do, we would always ensure that protection of our environment, our agricultural lands and our natural resources.

By the year 2031, we estimate that more than four million additional residents will call

---

<sup>1</sup> *Places to Grow Act, 2005*, SO 2005, c 13 (“PGA”), preamble and ss 1(a)-(d).

<sup>2</sup> *Growth Plan Areas*, O Reg 416/05, s 2.

<sup>3</sup> *A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2020)* (“Growth Plan 2020”), s. 1.1.

Ontario home. We must plan now for that growth. We must build in a way that integrates and brings together all the elements required to build stronger communities and a robust economy, while at the same time protecting the environment and other valuable natural resources.<sup>4</sup>

[...]

By showing where growth should occur, it will help us to develop the public infrastructure needed to support that growth, while at the same time protecting for future generations the green spaces so much a part of the kind of quality of life that we want; and support the agricultural lands that we're going to need to support our populations and the natural systems that we desperately need to preserve. Those are the places that growth should not occur (emphasis added).<sup>5</sup>

[...]

So in some parts of Ontario we got sprawl, gridlock, air pollution, inefficient use of infrastructure and lost green spaces... That is not a pattern we are willing to repeat.<sup>6</sup>

The Growth Plan is the instrument by which the *PGA* achieves its objectives, including that urban growth and infrastructure is directed away from important natural features.<sup>7</sup> The Growth Plan creates an Agricultural System, with the goal of protecting “prime agricultural areas” for the long-term.<sup>8</sup> The Growth Plan also creates and seeks to protect a Natural Heritage System, made up of natural heritage features and areas, and linkages intended to provide connectivity or improve ecological features in the future. It includes lands that have been restored or have the potential to be restored to a natural state and working landscapes that enable ecological functions to continue.<sup>9</sup>

Under the Growth Plan, “settlement areas” are designated as the focus for development.<sup>10</sup> Development is generally directed away from hazardous lands.<sup>11</sup> Any settlement area expansions are to avoid key hydrologic areas, the Natural Heritage System, and prime agricultural areas, where possible.<sup>12</sup>

---

<sup>4</sup> Ontario Legislative Assembly, Official Report of Debates (Hansard), 35<sup>th</sup> Parl, 1<sup>st</sup> Sess, No. 80A (28 October 2004).

<sup>5</sup> Ontario Legislative Assembly, Official Report of Debates (Hansard), 38<sup>th</sup> Parl, 1<sup>st</sup> Sess, No 114 (2 March 2005).

<sup>6</sup> Ontario Legislative Assembly, Official Report of Debates (Hansard), 38<sup>th</sup> Parl, 1<sup>st</sup> Sess, No 114 (2 March 2005).

<sup>7</sup> *PGA*, ss 4-10.

<sup>8</sup> 2020 Growth Plan, s 4.2.6.

<sup>9</sup> 2020 Growth Plan, s 7.

<sup>10</sup> 2020 Growth Plan, s 2.2.1.2(d).

<sup>11</sup> 2020 Growth Plan, s 2.2.1.2(e)

<sup>12</sup> 2020 Growth Plan, s. 2.2.8.3.(e) and (f)

The necessity for protecting natural heritage features and the agricultural system in the Greater Golden Horseshoe remains critical to ensure the *PGA* fulfills its intended purpose and to protect significant ecological and agricultural lands from degradation.

### **The Province's Housing Task Force Report Did Not Identify the Growth Plan as a Barrier to Housing Development**

Settlement area boundaries protect key natural heritage features and agricultural lands. The premise of the ERO proposal that settlement boundaries need to be expanded to promote new housing is incorrect.

There has been no demonstrated need to revise either the *PPS* or the *Growth Plan* to make land available for housing; land is already available for housing. The Ontario Government's Task Force Report confirmed that there is plenty of land available in existing built-up areas.<sup>13</sup> This includes at least 250,000 new homes and apartments that were approved in 2019 or earlier but have not yet been built.<sup>14</sup> Indeed, the Greater Toronto Hamilton Area has 88,000 acres of already designated new (or greenfield) development lands within existing settlement area boundaries that would meet the region's entire projected housing demands for the next 30 years.<sup>15</sup>

### **Bill 23 and Associated Policy Changes Have Weakened Environmental Protections for Natural Heritage Features and Agricultural Lands**

CELA is opposed to any consolidation of the *PPS* and *Growth Plan* that would result in a loss of any additional protections for natural heritage features and agricultural lands in the Greater Golden Horseshoe. There is little detail in the posted ERO proposal and no draft language has been provided. Instead, vague proposals to "streamline" certain raise serious concerns about a loss of protection for natural heritage features and for people and property from natural hazards. It is critical to maintain those protections, especially where other protections for natural heritage features and agricultural lands in the Greater Golden Horseshoe area have already been seriously diminished by recent legislative changes made to the Ontario planning system, including (1) weakening of [Conservation Authorities](#), (2) weakening of [Ontario's Wetland Evaluation System](#); and (3) removal of critical protected lands from the Greenbelt and Oak Ridges Moraine.

### **Conclusion**

CELA is opposed to combining A Place to Grow: Growth Plan for the Greater Golden Horseshoe with the Provincial Policy Statement, and to any further diminishment of protections

---

<sup>13</sup> Report of the Ontario Housing Affordability Task Force, (February 8, 2022) at 10.

<sup>14</sup> Anne Bell, "The Housing Crisis: What You Need to Know", Ontario Nature (April 8, 2022) (referring to Berry Vrbanovic, et al, "Waterloo Region mayors call for collaboration to fix housing crisis", The Waterloo Region Record (January 18, 2022)).

<sup>15</sup> Phil Pothen, Media Backgrounder, "Housing Affordability and the Provincial-Municipal Housing Summit", Environmental Defence Canada (January 2022) at 1.

for natural heritage features and agricultural lands in Ontario. We hope these comments and recommendations are helpful. We would be happy to answer any questions arising from this submission.

Sincerely,

**CANADIAN ENVIRONMENTAL LAW ASSOCIATION**

A handwritten signature in blue ink that reads "Jacqueline Wilson". The signature is written in a cursive, flowing style.

---

Jacqueline Wilson  
Counsel