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Ducks Unlimited Canada
Conserving Canada's Wetlands

October 10, 2013

Via E-mail (minister.mah@ontario.ca)

The Honourable Linda Jeffrey
Minister of Municipal Affairs and Housing
17th Floor, 777 Bay St
Toronto, ON
M5G 2E5

Dear Minister Jeffrey:

Re: Provincial Policy Statement (2005), five-year Review

We, the under-signed, are writing to express our support for the Ontario government's commitment to land use planning reform and to highlight important issues that have yet to be adequately addressed through the ongoing five-year Review of the Provincial Policy Statement (PPS).

We endorse the Province's goal of promoting vibrant, healthy communities, while protecting the natural environment and creating a greener economy. We are pleased to note the renewed emphasis on sustainability, system-based planning, active transportation, transit and green infrastructure in the Draft Amended PPS. To more fully protect biodiversity and to mitigate and adapt to climate change, however, there are still significant issues which can and should be addressed through the ongoing PPS Review. To this end, we urge you to make the following key changes:

1. Establish clear priorities: The scope of the PPS is very broad, covering many interests and potentially conflicting land uses. We strongly recommend that the PPS be amended to clearly state that in the case of a conflict, the protection of human health and the natural environment will be prioritized.

2. Protect significant natural features and prime farmland from aggregates extraction:

Now is the time for Ontario to revisit and revise the preferential treatment accorded to aggregates extraction under the PPS. Unfortunately, the Draft Amended PPS includes changes that would offer even more preferential treatment to aggregates extraction. Specifically, there is a proposed loophole that would allow aggregates extraction to proceed in prime farmland and in significant natural heritage features, based on the unrealistic premise that rehabilitation afterwards will fully restore the values lost. This loophole must be closed, first because rehabilitation may not occur for decades – if it ever occurs. (There are over 4,000 abandoned

pits and quarries in Ontario that have yet to be rehabilitated.) And second, because the science of rehabilitation is far from perfect: removing huge quantities of rock and gravel results in permanent changes to hydrology and soils, and thus to the very conditions which support particular crops and plant and animal life.

3. Enhance protection for wetlands: We are pleased to note the increased protection offered to coastal wetlands in the Draft Amended PPS. The proposed revisions do not go far enough, however, to adequately protect this valuable resource. Wetlands are key to maintaining water supply and water quality and to enhancing landscape resilience in an era of climate change. They also provide habitat for many of the province's most imperiled plants and animals. We urge you further revise the PPS so as to protect all coastal wetlands and all provincially significant wetlands province-wide. In the absence of an assessment of significance having been made, the highest level of protection should apply. In addition, given the dramatic loss of wetlands in southern and eastern Ontario (at least 72%, and over 90% in some areas), the PPS should be amended to protect all wetlands in this region from development.

4. Require system-based planning for natural heritage across Ontario: A new requirement of the Draft Amended PPS is the identification of natural heritage systems in southern and eastern Ontario. This is an important step, but does not go far enough. The protection and enhancement of natural heritage systems is a critical component of strategies to conserve biodiversity and to mitigate and adapt to climate change. As noted in a letter to you, dated April 5, 2013, from 31 community and environmental organizations in northern Ontario, natural heritage should be afforded equally strong protection in the north as in the south, since "good planning should be for all of Ontario." The identification of natural heritage systems should be required across Ontario.

5. Require planning at the watershed and/or sub-watershed level: In order to meaningfully address biodiversity loss and climate change and to protect water systems, it is imperative that the PPS require watershed planning at the appropriate ecological scale.

6. Retain current policies for species at risk: The Draft Amended PPS significantly weakens the current level of protection for species at risk offered under the PPS by deferring to provincial and federal requirements, including the Endangered Species Act, 2007 (ESA). This legislation allows development to occur through permits and exemptions without consideration of matters normally addressed through municipal land use planning. We urge you to maintain the current level of protection by retaining the existing PPS 2005 policies regarding species at risk, which include a clear prohibition regarding development in the habitat of species at risk and on lands adjacent to that habitat.

7. Reference technical guidance: To assist planning authorities and decision-makers with implementation and to enable the development and adoption of progressive policies in official plans, the PPS should explicitly refer to the Natural Heritage Reference Manual, which provides detailed guidelines for natural heritage protection, and should require planning authorities to consider that guidance.

In conclusion, we fully support the PPS vision of fostering strong, sustainable, healthy and resilient communities across Ontario. To do so requires an approach to land use planning that accurately reflects and upholds the true value of our ecosystems and the goods and services that they provide.

Thank you for your attention. We look forward to your response.

Sincerely,

Theresa McClenaghan
Executive Director and Counsel
Canadian Environmental
Law Association



Naomi Grant
Chair
Coalition for a Liveable
Sudbury



Dr. Anastasia M. Lintner
Staff Lawyer & Economist
Ecojustice Canada



Julie Cayley
Head, Industry and
Government Relations
Ducks Unlimited Canada



Andrew McCammon
Executive Director
Ontario Headwaters
Institute



Caroline Schultz
Executive Director
Ontario Nature



Cathy Orlando
National Manager
Canada's Citizens Climate
Lobby

John McDonnell
Executive Director
CPAWS Ottawa Valley



Kyle Clarke
President
Council of Outdoor
Educators of Ontario



Dr. Faisal Moola, PhD
Director General, Ontario and
Northern Canada
David Suzuki Foundation



Joyce Chau
Executive Director
EcoSpark



Janet McKay
Executive Director
LEAF (Local Enhancement
and Appreciation of Forests)



Linda Heron
Chair
Ontario Rivers Alliance



Larry McDermott
Executive Director
Plenty Canada



John Bacher
Researcher
Preservation of Agricultural
Lands Society



Dan McDermott
Chapter Director
Sierra Club Ontario



Bryan Gilvesy
Karen Hutchinson
Co- chairs
Sustain Ontario



Emily Conger
President
Algonquin to Adirondacks
Collaborative



Don Morgan
Chair
AWARE Simcoe



Dawn Pierrynowski
President
Bert Miller Nature Club



Lois Gillette
President
Durham Region Field
Naturalists



Erwin Dreessen
Nicole DesRoches
Co-chairs
Greenspace Alliance of
Canada's Capital
Alliance pour les espaces
verts dans la capitale du
Canada



Michael Fischer
President
Hamilton Naturalists' Club



Thomas Lobb
Director
Huron Fringe Field
Naturalists



Sheila Fleming
President
Ingersoll District Nature Club



Dan Bone
President
Kawartha Field Naturalists



Karen Buschert
Conservation Director
Kitchener-Waterloo Field
Naturalists



Ken Allison
President
Mississippi Valley Field
Naturalists



Peter Kelly
President
Nature Guelph



Karen Auzins
President
Nature London



Joyce Sankey
Past President
Niagara Falls Nature Club



Bernie Solymar,
President
Norfolk Field Naturalists



Brennain Lloyd
Project Coordinator
Northwatch



Jack Gibbons
Chair
North Gwillimbury Forest
Alliance



Debbie Lee
Co-Chair
Onwatin Lake Stewardship
Committee

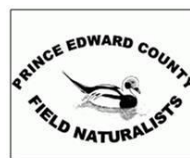
Peter Middleton
Past President
Owen Sound Field
Naturalists



Steve LaForest
President
Pickering Naturalists



Myrna Wood
President
Prince Edward County
Field Naturalists



Sandra Goranson
Chair
Prince Edward County South
Shore Conservancy

George Thomson
President
Quinte Field Naturalists



Justin Carter
Executive Director
reThink Green



Marianne Yake
Past President
Richmond Hill Naturalists



Jerry Asling
President
Saugeen Field Naturalists



Janet Gasparini
Executive Director
Social Planning Council of
Sudbury



Paul Harpley
President
South Lake Simcoe
Naturalists

Cindy Sutch
Co-Chairperson
STORM Coalition



Glenda McLaughlan
Executive Director
The Quetico Foundation



Dianne Pazaratz
Trustee
Thickson's Woods Land
Trust



Ron Jasiuk
President
Upper Credit Field Naturalists

Michael Mazur
President
Vankleek Hill and District
Nature Society

Petra Hartwig
President
Willow Beach Field
Naturalists



Gloria Marsh
Executive Director
York Region Environmental
Alliance



Sylvia Bowman
Conservation Director
York Simcoe Naturalists



c.c. Gord Miller, Environmental Commissioner of Ontario