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**MEMORANDUM**

**PDS-C 41-2023**

**Subject:** Staff Comments on Proposed Provincial Planning Statement (PPS) –  
Natural Heritage

**Date:** September 13, 2023

**To:** Planning and Economic Development Committee

**From:** Sean Norman, Senior Planner

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The purpose of this memorandum is to inform Regional Council of staff comments submitted to the Province through the Environmental Registry of Ontario (ERO) for the natural heritage policies of the proposed Provincial Planning Statement (PPS).

Previously, through memorandum PDS-C 20-2023, staff shared comments submitted to the ERO on the broader scope of the proposed PPS. At that time, the Province had not yet released the proposed natural heritage section of the proposed PPS.

On July 12, 2023, PDS 22-2023 was included in the Planning and Economic Development Committee agenda. The report informed Regional Council that the proposed PPS natural heritage policies had been released by the Province for comment. The deadline for submitted comments through the ERO was August 4, 2023.

Staff has completed a review of the proposed policies and a copy of the comment letter submitted to the Province is included as Appendix 1.

The most significant concern identified by staff is that the “Natural Heritage System for the Growth Plan” (Growth Plan NHS) is not being carried forward. If the proposed PPS is approved, it is understood that the Growth Plan NHS would no longer be provincial policy.

When the updated Growth Plan for the Greater Golden Horseshoe was released in 2017 and subsequently revised in 2019, it included policies, definitions, and mapping for the Growth Plan NHS. The Growth Plan NHS was included as part of the integrated natural environment system (NES) of the Niagara Official Plan, approved by the Province in November 2022.

The attached letter to the Province includes the following recommendations:

1. that the mapping and policies of the Growth Plan NHS continue to be provincial land-use policy and be implemented through municipal official plans, and
2. to improve implementation, that the Province consider additional agricultural and other exemptions to the Growth Plan NHS.

The letter also recommended that should the Province move forward with the elimination of the Growth Plan NHS, that further direction be provided on transition/implementation for municipalities which had implemented the system through recent municipal comprehensive reviews or Official Plan updates.

Respectfully submitted and signed by:

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Sean Norman, PMP, MCIP, RPP  
Senior Planner

Appendix 1: Staff Comment Letter in Response to ERO Posting (dated August 4, 2023)

Sent via e-mail: [growthplanning@ontario.ca](mailto:growthplanning@ontario.ca)

August 4, 2023

Ministry of Municipal Affairs and Housing (MMAH)  
Provincial Land Use Plans Branch  
13th Floor, 777 Bay Street  
Toronto, ON  
M7A 2J3

**Subject: Niagara Region Comments – ERO 019-6813**  
**Review of Proposed Policies adapted from A Place to Grow and**  
**Provincial Policy Statement to Form a New Provincial Planning Policy**  
**Instrument - Proposed Natural Heritage Policies**

Niagara Region staff previously provided comments on ERO 019-6813 “Review of Proposed Policies adapted from A Place to Grow and Provincial Policy Statement to Form a New Provincial Planning Policy Instrument” (proposed PPS, 2023). At the time of the initial April 6, 2023 release of the proposed PPS, 2023, and Niagara Region’s first set of comments, the natural heritage policies and their associated definitions were deferred. On June 16, 2023 the natural heritage policies and associated definitions were released by the Province for comment. The following provides Niagara Region’s staff comments on the proposed natural heritage policies.

### **Proposed Policies and Definitions**

In comparison to the existing Provincial Policy Statement (2020), it appears that there are no changes to the natural heritage policies. Based on Niagara Region staff’s review several changes have been made to the associated natural heritage definitions. Firstly, the definition of “significant” as it applies to wetlands has been updated to reflect the revised process for identifying provincially significant wetlands which was introduced by the Province in late 2022. Secondly, “habitat of endangered species and threatened species” has been removed from the definition of “natural heritage features and areas”, Niagara Region staff are not concerned with this change given that proposed policy 4.1.7 continues to prohibit development and site alteration in the habitat of endangered species and threatened species, except in accordance with provincial and federal requirements, and these habitats would continue to be protected through the Endangered Species Act.

### **Natural Heritage System for the Growth Plan**

When the updated Growth Plan for the Greater Golden Horseshoe was released in 2017 and subsequently revised in 2019, it included policies, definitions, and mapping for a

“Natural Heritage System for the Growth Plan” (Growth Plan NHS). Municipalities were required to incorporate and implement the policies and mapping into their official plans. The Growth Plan NHS was included as part of the integrated natural environment system (NES) of the Niagara Official Plan, approved by the Province in November 2022.

As the proposed PPS (2023) will integrate the PPS (2020) and Growth Plan (2019), it is understood that there will no longer be a stand alone Growth Plan document, and is therefore understood the Growth Plan NHS would no longer be Provincial land-use policy.

Niagara Region staff are concerned with timing of elimination of the Growth Plan NHS. The process to develop a new Regional Official Plan was a significant multi-year work program that required a major investment by the community and Region. The natural environment work program – including conformity with the Growth Plan, and implementation of the Growth Plan NHS – was one of the most significant aspects of the work program for the new Official Plan.

Further, when Niagara Region staff implemented the Growth Plan NHS it was done so as part of an integrated natural environment system (NES), which also included the natural heritage system, water resource system, and greenbelt natural heritage system. The policies, linkages, and connections included as part of the Growth Plan NHS were relied upon to satisfy the PPS for an overall municipal natural heritage system.

Finally, through the process of incorporating the Growth Plan NHS into the Regional Official Plan, Niagara Region staff identified additional agricultural and other exemptions that in our opinion would have improved implementation. The exemptions included minor construction activities in vegetation protection zones, and in the system outside of a feature, such as new agricultural buildings below 200 m<sup>2</sup>, expansions to existing agricultural buildings, new and expanded accessory buildings to a residential use below 50 m<sup>2</sup>, and the reconstruction of an existing residential building of the same size at the same location. These additional exemptions were proposed by Niagara Region through the new Niagara Official Plan but removed through modifications made by the Province upon approval as they were deemed not to conform to the Growth Plan.

It is the recommendation of Niagara Region staff that:

1. the mapping and policies of the Growth Plan NHS continue to be provincial land-use policy and be implemented through Municipal official plans, and
2. to improve implementation, that the Province consider additional agricultural and other exemptions to the Growth Plan NHS as discussed above.

Should the Province move forward with the elimination of the Growth Plan NHS, it is recommended that direction be provided on transition/implementation for municipalities which had implemented the system through recent municipal comprehensive reviews or Official Plan updates.

## **Greenbelt Plan Natural Heritage System**

Through the “Proposed Approach to Implementation of the proposed Provincial Planning Statement” document that was included as part of the original ERO on April 6, 2023, it is understood that there are no proposed changes to the Greenbelt Plan policies and how the Greenbelt Plan is to be implemented. It is therefore understood that the Greenbelt Plan Natural Heritage System, first introduced in 2005, would continue to be Provincial policy and implemented by municipalities. Niagara Region staff are supportive of the Greenbelt Plan NHS continuing to be Provincial policy.

We thank you again for the opportunity to provide comments on the proposed Provincial Planning Statement and look forward to continuing to work with the Province on improving the efficiency of the land-use planning system and achieving the goal of providing 1.5 million new residential units by 2031.

If you have any questions about this submission please contact Angela Stea, MCIP, RPP, Director of Community and Long Range Planning ([Angela.Stea@niagararegion.ca](mailto:Angela.Stea@niagararegion.ca))

Respectfully,



Signed by Angela Stea on behalf of

Michelle Sergi, MCIP, RPP  
Commissioner, Growth Strategy and Economic Development  
Niagara Region