

"Inspiring a Healthy Environment"

April 30, 2026

Conservation Ontario
120 Bayview Parkway
Newmarket, ON L3Y 3W3

Attention: Nicholas Fischer (sent via e-mail)

RE: UTRCA Comments – Bill 98

ERO 026-0300 - Streamlining and Standardizing Official Plans

1. The UTRCA supports the inclusion of Schedule C4 - Natural and Human-made Hazards.
 - a. We recommend that the applicable Conservation Authorities (CA) and their watershed boundaries also be identified on Schedule C4.
 - b. Will there be an option to include 'CA Regulated Areas' as an overlay on Schedule A3 - Land Use Designation? The overlay would provide direction to landowners that a Section 28 permit is required without looking across various schedules.
2. The ERO posting introduces the term "Natural Environment and Water Resource Areas"; however, natural hazards are identified on the Schedule C4 - Natural and Human-made Hazards. It is unclear what is intended to be included within the "Natural Environment and Water Resource Areas," specifically whether natural hazards are included.
3. The UTRCA encourages the inclusion of a land use designation specific to natural hazards. This designation may not be applicable to all natural hazards, but could be used where hazard areas are high risk and prohibitions apply. Inclusion of a natural hazard designation on Schedule A3 would allow for additional management and/or mitigation of the natural hazard, where required, through the zoning by-law. This is particularly useful for areas subject to two-zone floodplain management and Special Policy Areas.
4. It is unclear where the natural hazard policies will be located within the proposed Official Plan structure (i.e., Local Landscape and Resource Management). It is important that natural hazard policies clearly apply to all land use designations where a natural hazard is determined to be present.
5. We recommend that Secondary Plans and Site & Area-Specific Policies (SASP) be identified on a required Official Plan schedule and that SASP policies be included within a consistent section of the municipal Official Plan.
6. Please refer to the comments below related to the changes identified in the ERO posting, which are proposed in more detail across multiple ERO postings.

7. The Upper Thames River Source Protection Authority emphasizes that municipalities should be continuously integrating Source Water Protection into planning processes like official plans, zoning bylaws, development approvals, and infrastructure decisions. Policy 1.06 in the **Thames-Sydenham Source Protection Plan** reinforces this by requiring that: All planning decisions must conform with policies that address significant drinking water threats. This includes any activity or land use that could negatively impact municipal drinking water sources (e.g., groundwater wells or surface water intakes)

ERO 026-0309 – Proposed Regulation to Prohibit Mandatory Enhanced Development Standards as a Condition of Land Division Approvals

8. The ERO clearly identifies that conditions specifically required for health, safety, accessibility or protection of adjoining lands (e.g., stormwater management) will not be impacted by the proposal. We are supportive of the explicit reference to stormwater management, however, it is unclear what other matters would be considered within this scope.
 - a. Depending on the proximity to a natural hazard, and if modification to the hazard is proposed we may consider grading plans and hydrogeological assessments fundamental in ensuring health and safety within the subject lands and for the protection of adjoining lands.
 - b. We would like to confirm that safe access can be considered as a requirement for health, safety, and accessibility. Confirmation of safe access may require the completion of a Floodplain Assessment or Geotechnical Assessment with an analysis of the access.

ERO 26-310 - Proposal to reform site plan control under the Planning Act and the City of Toronto Act, 2006

9. We are not supportive of removing site plan control as a land use planning tool. However, we acknowledge the challenges and lengthy timelines and are supportive of considering options to reform the process.
 - a. Site plan control is a valuable process to identify hazards at a site level and locate development away from the hazard.
 - b. There is value in including the Conservation Authority (CA) in the site plan process to collaborate with municipal staff in identifying constraints. Removal of the site plan control process would shift the review of hazards to the Section 28 process and may result in a more complex permit and a more intensive Section 28 review. The Section 28 process generally does not include collaboration with municipal staff.
 - c. Removal of the site plan control process may result in more intensive review where amendments to the Zoning By-law are required to facilitate development, to ensure hazards are appropriately identified and avoided through the Zoning By-law.
10. We have no objections to having a maximum of three circulations after which a mandatory meeting is triggered with all relevant municipal department representatives and the applicant to work through and resolve all outstanding issues, provided that the CA is included in the mandatory meeting. Inclusion of the CA is necessary to ensure that outstanding issues can be addressed so that a Section 28 permit can be obtained. If the CA is not involved in the meeting, there may be a risk that the site plan would require

amendments where revisions to the development are required as a result of the Section 28 permitting review.

11. We have no objections to the use of standardized checklists, as they may increase consistency; however, we caution that a checklist may not address capacity constraints related to application review. We encourage the Province and/or municipalities to include CAs in the development of the checklists to ensure that natural hazard requirements are adequately addressed, which will, in turn, help streamline the Section 28 permitting process and reduce the potential need for additional studies.
12. The UTRCA is supportive of the recommendation to create site plan approval streams for different types of proposed development, with a corresponding scope of matters that may be controlled. We encourage the Province and/or municipalities to include CAs in the development of these streams and scopes to ensure that natural hazard requirements are addressed, which will, in turn, help streamline the Section 28 permitting process.

ERO 026-0311 - Proposed Regulatory Approach to Establish a Minimum Residential Lot Size in Urban Areas

13. The UTRCA is supportive of the requirement for the minimum size to apply only to urban residential lands that are fully serviced by public sewage and water.
14. We caution that there may be constraints within a lot that may result in limited developable area. Identification of natural hazards prior to establishing residential zoning is strongly encouraged to ensure that hazard constraints do not result in lots that cannot be developed.
15. We encourage the Province to review the 2003 Stormwater Management Planning and Design Manual and, if necessary, update the document to reflect the proposed minimum lot size, as well as the permission for up to three residential units per lot.

ERO 26-0312 - Proposed Changes to Support Standardizing of Parkland Requirements Under the Planning Act

16. We are supportive of including hazardous lands and hazardous sites, as described in the Provincial Planning Statement (PPS), within the list of ineligible lands.
17. Please note that a Section 28 permit is required prior to any development or site alteration within CA Regulated Areas, including wetlands and lands located within 30 metres of a wetland. Parkland uses may not be permitted under CA regulatory policies, regardless of the findings of an Environmental Impact Study.

ERO 026-0313 - Streamlining the information and material that planning authorities can require as part of a complete application

18. We are supportive of the listed core studies.
19. We are supportive of the inclusion of a Natural Hazard Impact Study / Assessment as a contingent study when a natural hazard exists.
 - a. We caution that not all hazards are identified in CA and municipal mapping. Through consultation with the CA, a study / assessment may be required to confirm the presence of natural hazards.

- b. Provincial policy does not permit development and site alteration in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. A Natural Hazard Impact Study / Assessment may be required to assess access regardless of whether the development and site alteration is proposed within or adjacent to a natural hazard.
 - c. Depending on the natural hazard present the Natural Hazard Impact Study / Assessment may include Floodplain Modelling / Study, Geotechnical Assessment, Slope Stability Assessment, Meander Belt Assessment, Fluvial Geomorphology Assessment, Hydrogeological Assessment and/or Water-Balance Assessment. Use of a broad term for the ‘type of study’ could create some inconsistencies in the understanding of what may be required as part of the study / assessment.
20. Stormwater Management (SWM) is included within the objective of the Functional Servicing Report (FSR), Core Study. For development requiring on-site SWM controls a SWM Brief is generally required to ensure there is sufficient space for SWM infrastructure on the site. At a minimum, clear requirements for the scope of SWM review should be included within the FSR to confirm that adequate space is provided for the required SWM infrastructure.
21. ERO Question #3 & 4. We consider a single consolidated list of information and material to be sufficient. The timing and applicability of required studies may vary depending on the development history of the site and whether relevant studies have already been completed and accepted through previous planning approvals. As such, linking specific studies to specific application types could limit flexibility and result in unnecessary duplication
22. ERO Question #5 - We also encourage the Province to provide guidance documents to increase consistency across the province, however we are supportive of the planning authorities retaining the ability to develop terms of reference to specify the scope of information required, based on site conditions and the proposed development. We encourage municipalities to work collaboratively with CAs when scoping terms of references for studies related to natural hazards.
23. ERO Question #6 - We encourage the Province to create new and/or update existing guidance documents to promote greater consistency in the scope of studies across the Province, while maintaining flexibility for planning authorities to account for site-specific conditions.

ERO 26-026-0314 - Proposed Changes to Various Regulations Under the Planning Act and the City of Toronto Act, 2006 to Specify Additional “Prescribed Professions” for the Purposes of a Complete Application

- 24. We strongly encourage direction in the regulation to ensure the prescribed professional be relevant to the study being submitted (i.e. electrical engineer should not submit a flood study).

ERO 26-0315 - Consultation on upper-tier official plans, secondary plans, and site and area-specific policies

25. We recommend that the contents, schedules and land use designations related to natural hazards remain consistent across Official Plans.
26. We recommend that Secondary Plans and Site & Area-Specific Policies (SASP) be identified on a required Official Plan schedule and that SASP policies be included within a consistent section of the municipal Official Plan.
27. We are supportive of establishing criteria for the consistent use of secondary plans. The secondary plan process is a valuable tool for the identification of natural hazards, future development limits and constraints, and regional stormwater management (SWM). Secondary plans may also enable planning at a watershed scale, allowing for a better understanding of cumulative impacts and appropriate mitigation.
28. We are supportive of a consistent use of SASP. SASP are a valuable tool for hazard mitigation (i.e. inclusion of floodproofing requirements in a Special Policy Area or area where the two-zone concept for floodplain management applies). Inclusion of mitigation requirements in the SASP helps establish clear requirements and streamlines site plan control and Section 28 permit processes.
29. ERO Question #1 – We recommend that areas with natural hazards and/or land use compatibility concerns (e.g., Natural Environment and Water Resource Areas) are appropriate for the use of secondary plans. Natural hazard identification should be completed as part of the secondary plan process, through which applicable policies are established, with any required mitigation set out in the secondary plan policies and subsequently considered as part of future development applications.
30. ERO Question #2 – We recommend that a schedule be included in the Official Plan that identifies secondary plans and SASPs. Further, municipalities should be required to post all secondary plans and SASPs on the municipal website.
31. ERO Question #3 & 5 – We agree that a framework should be established to transition existing secondary plans and SASPs as well as to ensure the documents/policies are maintained and updated over time. Natural hazards may change over time as a result of development or further research and understanding of the hazards. We encourage the province and/or municipalities to work collaboratively with CAs when developing the framework and when reviewing secondary plans and SASPs.