



April 22, 2025

To the members of Council,

**Submission by Paws for Parks - Item 2025 IE20.9 – Toronto Dog Off-Leash Strategy:
Citywide Approach to Dogs Off-Leash Areas**

We would like to add to our submission of April 7, 2025 with respect to the suggested Off-Leash Area ("OLA") setback of 10m from Environmentally Significant Areas.

We have been advised through the consultation process that OLAs are not required to comply with the Provincial Planning Statement ("PPS") requirement for a 120m setback from ANSIs/ESAs, because they are not a built structure or traditional development. It is unclear whether a legal opinion was obtained by the City on this position.

A plain reading of the PPS would suggest otherwise. The PPS rules apply to any "site alteration" and the definition of site alteration in the PPS is as follows: "Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site." (Provincial Planning Statement Section 8). That is a low bar and, presumably, some types of alterations needed to create OLAs would meet this threshold. We are curious as to what staff are relying on to dismiss the 120m setback from ESAs in the PPS.

The PPS also states that: "Natural features and areas **shall be *protected*** for the long term." (PPS 4.1.1), which "natural features and areas" would include ESAs. The Natural Heritage Reference Manual ("NHRM") contains recommendations for buffers and other advice for protection, hopefully staff have reviewed these and will be in a position to implement the protective recommendations where needed near ESAs.

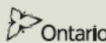
We would ask that the PPS and NHRM be carefully reviewed, a legal opinion obtained and the appropriate legal setback from ESAs be set in compliance with the letter and spirit of the PPS and NHRM.

Easy links to Natural Heritage Manual and PPS are here:

<https://docs.ontario.ca/documents/3270/natural-heritage-reference-manual-for-natural.pdf>
<https://www.ontario.ca/page/provincial-planning-statement-2024>

Relevant portion of the NHRM here:

NATURAL HERITAGE REFERENCE MANUAL
for Natural Heritage Policies of the Provincial Policy Statement, 2005



4.0 Natural Heritage Features and Areas

The Province's recommended distances for defining adjacent lands provided in the manual²¹ (see [table 4-2](#)) are drawn from these various scientific studies and are an attempt to balance the range of research showing that the impacts of development extend beyond the distances recommended in the 1999 manual.

The Province's recommendations are based on a review of current scientific research that includes studies covering topics such as the sensitivity of species to disturbance, the habitat requirements of species and the extent of the influence of development and site alteration on species (see [section 16](#) for an annotated bibliography of scientific resources and recommendations on adjacent lands).

When there is doubt concerning the potential for negative impacts, the adjacent lands widths recommended in the manual (or greater ones, as discussed below) should be adopted and an EIS or other equivalent study be undertaken to determine the extent of impacts, the appropriateness of the proposed land use change, and mitigation if proceeding while being consistent with policy 2.1.6 of the PPS is possible.

[Table 4-2](#) summarizes provincial recommendations regarding the extent of adjacent lands for evaluating ecological function and determining negative impacts on natural heritage features or areas, as per policy 2.1.6 of the PPS, and provides links to the relevant section of the manual.

Table 4-2: Provincial Recommendations for Adjacent Lands Widths for PPS Policy 2.1.6

PPS NATURAL HERITAGE FEATURE OR AREA	ADJACENT LANDS WIDTH (distance from feature for considering potential negative impacts)	MANUAL LOCATION FOR FURTHER DISCUSSION
Significant habitat of endangered and threatened species	120 m	section 5.4
Significant wetlands and significant coastal wetlands	120 m	section 6.4
Significant woodlands	120 m	section 7.4
Significant valleylands	120 m	section 7.4
Significant wildlife habitat	120 m	section 9.4
Significant areas of natural and scientific interest – life science	120 m	section 10.4
Significant areas of natural and scientific interest – earth science	50 m	section 10.4
Fish habitat	inland lake trout lake (at capacity) on the Canadian Shield 300 m all other fish habitat 120 m	section 11.4

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Regards,

Tracy Loconte

Tracy Loconte



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