
DATE: September 30, 2019

REPORT TITLE: **COMMENTS ON PROPOSED CHANGES TO THE PROVINCIAL POLICY STATEMENT, 2014**

FROM: Andrew Farr, Acting Commissioner of Public Works

RECOMMENDATION

That the comments outlined in the report of the Acting Commissioner of Public Works titled “Comments on Proposed Changes to the Provincial Policy Statement, 2014” and contained in Appendix I “Response Letter to the Province with Detailed Comments on the Proposed Provincial Policy Statement, 2019”, be endorsed;

And further, that a copy of the subject report be forwarded to the City of Brampton, the Town of Caledon, the City of Mississauga and the Ministry of Municipal Affairs and Housing.

REPORT HIGHLIGHTS

- On July 22, 2019, the Province of Ontario released proposed changes to the Provincial Policy Statement through the Environmental Registry Posting Number 019-0279.
- The Provincial Policy Statement is issued under the *Planning Act* and sets the policy foundation for regulating the development and use of land.
- The proposed changes relate to *Planning Act* changes made through *Bill 108: More Homes, More Choice Act, 2019* and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019*.
- Key comments for Peel Region include: inconsistencies between the Provincial Policy Statement and other provincial plans, perceived softening of key policies, and a new undefined term: “market-based” housing.
- There are concerns around revised policies that give preference for communal servicing as this is not something the Region promotes. Further, these do not align with the Region’s supported servicing options in the Palgrave Estate Residential Community.
- A detailed response to the Ministry is attached in Appendix I and will be submitted by the October 21, 2019 comment deadline.

COMMENTS ON PROPOSED CHANGES TO THE PROVINCIAL POLICY STATEMENT, 2014

DISCUSSION

1. Background

In January 2019, the Province released *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and in May 2019 released the *More Homes, More Choice: Ontario's Housing Supply Action Plan* which included a number of changes to the *Planning Act* through *Bill 108: More Homes, More Choice Act, 2019*. Comments have been provided to the Province and have been endorsed by Regional Council through previous reports in Resolutions 2019-206 and 2019-605.

On July 22, 2019, the Province of Ontario released proposed changes to the 2014 Provincial Policy Statement (PPS) through an Environmental Registry Posting (Number 019-0279).

The PPS is the primary provincial land use planning policy document in Ontario to guide decision-making. The PPS sets the policy foundation for regulating the development and use of land issued under Section 3 of the *Planning Act*. The current PPS and has been in-force and effect since April 30, 2014. The *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The proposed changes to the PPS are meant to work together with the other provincial policy changes released earlier this year to support the Province's objectives to:

- encourage the development of an increased mix and supply of housing
- protect the environment and public safety
- reduce barriers and costs for development and provide greater predictability
- support rural, northern and Indigenous communities
- support the economy and jobs
- maintain protections for the Greenbelt

This report provides an overview of the key changes and their potential implications. Appendix I of this report provides the proposed formal response letter with detailed comments to be submitted to the Province by the October 21, 2019 comment deadline, subject to Council endorsement.

Issues addressed in the comments include suggestions around policy strength, consistency, partial and communal services, the planning horizon, market-based housing and fast-tracking developments. At this time, the changes proposed to the PPS do not necessitate significant changes to the Peel 2041 work plan since that process already incorporates the many recent provincial policy changes. Staff will continue to monitor and discuss the policy implications with Provincial staff and stakeholders.

2. Key Implications of the Proposed Changes to the Provincial Policy Statement

Key changes proposed to the PPS are discussed below along with specific recommendations. Detailed comments can be found in Appendix I.

Strength of Policy Language

- There is a softening of the language of several policies throughout the PPS by changing some instances of “shall” to “should”. It is not clear what the intent of the changes are and the change appears to relax the requirement in these policies. This

COMMENTS ON PROPOSED CHANGES TO THE PROVINCIAL POLICY STATEMENT, 2014

change has been made in several key policies that the Region relies on for support of key programs and strategies.

- It is recommended that the term “shall” be kept to ensure policy strength is maintained and that the PPS continues to direct the planning of compact, complete communities.

Changes within Implementation and Preamble Sections

- Several key matters have been revised from specific policies to general statements in the Preamble section of the statement. Some of these key policies are related to: ensuring that Official Plans coordinate cross-boundary matters; ensuring planning matters are consistent with the PPS; that the PPS represents minimum standards; and giving direction on how the PPS relates to other provincial plans. These are key policies which speak to the importance of the PPS and removing them as policies could be interpreted as less of a requirement to adhere to them.
- It is recommended that these policies be kept in the implementation section to ensure they are recognized as policies and not descriptive statements.

Consistency of Policies

- There are several inconsistencies between the PPS and other provincial plans. Differences in language can make it difficult to interpret and compare policies between documents. For example, the Growth Plan identifies transit corridors as “Priority Transit Corridors”, whereas in the PPS there is a similar term of “Major Transit Corridors”.
- It is recommended that defined terms and similar policies between provincial documents remain consistent, where possible, throughout the various provincial documents.

Indigenous Engagement Policies

- There is an increased emphasis in the proposed policies on the role of Indigenous communities in land use planning and development. This is supported as it is important for municipalities to engage with Indigenous communities.
- It is recommended that the Province provide consultation guidelines so that there is a common understanding of what constitutes meaningful engagement across the Province. Also, it is recommended that the term “Indigenous” be consistently used, where possible.

Partial Servicing

- Partial servicing is the servicing of lots with either piped municipal water or municipal sewage services, but not both. Currently there are limited areas permitted to utilize partial servicing within the Regional Official Plan.
- There is a change to provide additional permissions for the extension of partial services into rural areas outside of settlement areas to address failed services or to service infill on existing lots. There is concern that this policy could allow for applications such as severances in the rural area outside of the current partial service area to be eligible to receive partial services for the creation of new lots.
- To limit this, it is recommended that the new policy addition specify that it applies to existing lots of record as of a specific date (i.e. the date the PPS is in effect).

COMMENTS ON PROPOSED CHANGES TO THE PROVINCIAL POLICY STATEMENT, 2014

Market-Based Housing

- A new term, “market-based”, has been introduced in several policies in relation to accommodating an appropriate “market-based” range and mix of residential types. The term has not been defined and using it may present an opportunity for justification of residential development types that may conflict with other policies through a narrow interpretation of a current market preference. There are concerns that this could limit the ability of municipalities to encourage an appropriate range and mix of housing as directed by other policies of the PPS. Further, the change could make it difficult to achieve intensification and density targets, required by the Growth Plan.
- If the term is to be included, it is recommended it be clear that “market-based” includes a broad assessment of housing need including tenure, unit mix, size mix and affordability.

Accommodation of Residential Growth

- Currently, municipalities must provide for a minimum 10-year supply of readily developable lands. There is a proposed change to increase this to a minimum of 12 years. The impact to Peel is minimal as this generally fits in with Peel’s planning horizon.
- However, clarification is requested on whether additional lands must be designated to accommodate the additional years. There is concern that Provincial financial tools that can be used to enable municipalities to collect infrastructure funding will not be sufficient to provide additional years of supply. Additionally, provincial support in data acquisition and the provision of standardized definitions, methodology, and tracking across municipalities is requested.

Extension of the Planning Horizon

- There is a proposed change to extend the planning horizon from the existing (up to 20 years) to up to 25 years and the planning of employment areas beyond the 25-year horizon. The change from 20 years to, up to 25 years is not a concern. However, planning for employment areas beyond the 25-year time horizon could undermine efforts to intensify existing employment areas and encourage the over-designation of lands.
- It is recommended that the proposed policy allowing planning for employment lands beyond 25 years not be included since existing policies already allow protection of employment areas beyond the planning horizon but do not go as far as actually designating employment lands beyond the planning horizon. Additionally, it is recommended that a new policy be included to recognize the changing economy and nature of employment by allowing for and encouraging the flexible accommodation of new types of employment.

Communal Servicing

- A series of new policies propose that where municipal water and wastewater services are not available, planned, or feasible, private communal services are the preferred form of servicing for multi-unit/lot development. The servicing hierarchy of the existing PPS gives municipalities flexibility to provide municipal servicing, then contemplate permitting communal services and finally, individual on-site services where municipal services are not available. The decision to permit communal or individual services is based on feasibility in the local context and in consultation with other policies and technical guidelines.

COMMENTS ON PROPOSED CHANGES TO THE PROVINCIAL POLICY STATEMENT, 2014

- When communal systems are permitted, municipalities are required to enter into “responsibility agreements” with private owners to ensure the operation and maintenance of the system will be sustained to public service standards. In the event of a system failure, municipalities are then bound to finance and complete repairs or system replacements in the event that private owner does not have the financial resources.
- The Region has been required to intervene to take corrective measures in multiple private communal systems in Caledon, and does not support the construction of new communal systems. As the proposed changes give preference to private communal servicing, it is a concern that the new policies expose municipalities to significant financial, public health and safety risks over the lifetime of the services.
- In particular, the revised PPS policies regarding communal servicing do not align with the Region’s supported servicing options in the Palgrave Estate Residential Community (PERC). Town of Caledon has recently completed a review of Official Plan policies for the PERC. The proposed amendment included deleting policies which may permit communal servicing, and stating clearly that communal services are not permitted. These policies, to be adopted as part of the Town’s Official Plan 2041 Review, were supported by the Region and circulated to the Province in June 2018; no objections were presented. The PERC also benefits from being within Peel’s partial servicing area, providing another alternative for applicable developments to receive piped municipal water services, avoiding the need for private communal water services.
- It is recommended that existing policy in the PPS be maintained to allow municipalities the discretionary ability to approve servicing with the appropriate consideration of financial, environmental and health risks.

Fast-tracking and Prioritizing Development Applications

- There are new references to fast-tracking and prioritizing development applications in support of housing and job-related growth and development. However, there is no clear definition of what constitutes a priority application. Given the recent changes to the *Planning Act*, which have reduced most processing timelines and put significant pressures on municipal resources, prioritizing certain applications can further compromise the ability to meet timelines for other applications.
- If it is expected that municipalities are required to fast-track specific applications, guidance is requested on what types of applications should be prioritized and supports should be made available to share the burden on resources.

3. Implications to Existing Work

At this time, the changes proposed to the PPS do not appear to necessitate significant changes to the Peel 2041 work plan, as reported to Regional Council on September 26, 2019. However, it is possible that some proposed changes could lead to implications, such as the new extended planning horizons. The Province could introduce new forecasts to coincide with the new time horizons and this could impact existing work for Peel 2041 and the Growth Management Strategy. Staff will continue to monitor this matter and report to Council as necessary.

COMMENTS ON PROPOSED CHANGES TO THE PROVINCIAL POLICY STATEMENT, 2014

CONCLUSION

Upon Council endorsement of this report and Appendix I, the formal letter will be sent to the Province by October 21, 2019. Regional staff will discuss the key implications raised in this report further with stakeholders and the Province at future consultation opportunities.



Andrew Farr, Acting Commissioner of Public Works

Approved for Submission:



N. Polsinelli, Interim Chief Administrative Officer

APPENDICES

Appendix I: Response Letter to the Province with Detailed Comments on the Proposed Provincial Policy Statement, 2019

For further information regarding this report, please contact Adrian Smith, Acting Chief Planner & Director, Regional Planning and Growth Management, Extension 4625, Adrian.Smith@peelregion.ca.

Authored By: Kathryn Dewar, Principal Planner, Regional Planning and Growth Management

APPENDIX I**Comments on Proposed Changes to the Provincial Policy Statement, 2014****October 21, 2019**

Planning Consultation
Provincial Planning Policy Branch
777 Bay Street
13th floor
Toronto, ON M5G 2E5

Dear Planning Consultation staff,

Re: Region of Peel Comments on the Proposed Changes to the Provincial Policy Statement - ERO # 019-0279

The Region of Peel received the proposed changes to the Provincial Policy Statement (PPS) available on the Environmental Registry of Ontario posted July 22, 2019. This letter with detailed comments in Appendix A represents our response to the modifications, which was presented to Regional Council on October 10, 2019 for endorsement. The Council resolution is attached. In reviewing the proposed changes to the PPS, Peel staff are supportive of several proposed changes which promote integrated planning and growth management, preparing for impacts of a changing climate, increasing housing supply, protecting employment lands, and creating complete, transit-oriented communities.

Changes or deletions which present concerns for Peel's planning and provision of services are summarized below. As Peel staff are in the midst of conducting the Peel 2041 Regional Official Plan Review, staff request to work with the Ministry of Municipal Affairs and Housing to minimize implications to Peel's work plan achieving the intent of the PPS. In several of the comments in Appendix A, additional information or guidance is requested to ensure implementation is clear and consistent.

Key Implications of the Proposed changes to the Provincial Policy Statement

Inconsistencies between the PPS and Provincial Plans

There are several instances of inconsistencies in language and policies between the PPS and other provincial plans which may complicate interpretation and implementation. It is recommended that defined terms and similar policies remain consistent throughout the various provincial documents. *Please refer to comments on PPS 2019 policies 1.1.3.9., 1.2.4, 1.3.2.5.*

Strength of Language in Certain Policies

There is a softening of the language of several policies throughout the PPS by changing some instances of "shall" to "should". This change has been made in several key policies that the Region relies on for support of key programs and strategies. It is recommended that the term "shall" be kept to ensure policy strength is maintained and that the PPS continues to direct the planning of compact, complete communities. Regional staff are also concerned that the strength of a number of implementation and interpretation policies have been reduced, as they have been relocated to the preamble. It is recommended that these policies are kept in the implementation section to ensure they are recognized as policies and not descriptive

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

statements. *Please refer to comments on PPS 2019 policies in the preamble, section 4.0, and subsections.*

Permissions for Partial and Communal Services

The servicing hierarchy of the PPS 2014 gave municipalities flexibility to provide municipal servicing, then contemplate permitting communal services, and individual on-site services in that order, based on feasibility in the local context and in consultation with other policies and guidelines (i.e. D-Series). The revised language gives preference to communal servicing, which has proven to introduce significant financial, environmental, and public health risks in the Region of Peel. The Region has been required to intervene to take corrective measures in multiple private communal systems in Caledon and does not support the construction of new communal systems. It is recommended that existing policy in the PPS be maintained to allow municipalities the discretionary ability to approve servicing with the appropriate consideration of the above-noted risks. Further, these do not align with the Region's supported servicing options in the Palgrave Estate Residential Community. Regional staff also have suggested revisions to the partial servicing policies to ensure that additional unintended development in rural areas does not rely on partial servicing. *Please refer to comments on PPS 2019 policy 1.6.6. and subsections.*

Housing Policy

Regional staff are supportive of policy and initiatives which increase the supply of housing to meet the needs of all residents. However, some of the modifications present in the PPS 2019 may not contribute to this goal as anticipated.

Regional staff are concerned with the new term "market-based," as it could present an opportunity for justification of residential development types contribute less to intensification targets. If the term "market-based" is to be included, it is recommended that a definition be introduced which clearly includes an assessment of tenure, unit mix, size mix, and affordability.

There are references to "fast-tracking" and "prioritizing" applications in support of housing and job-related growth and development. Given the recent changes to the *Planning Act* municipalities are facing significant pressures to meet reduced application processing timelines, and additional prioritization can further compromise the ability to meet legislated timelines for other applications. If it is expected that municipalities are required to fast track specific applications, guidance is requested on what types of applications should be prioritized and supports should be made available to share the burden on resources.

Extended planning horizons and an increase to the years in which municipalities must have minimum residential supply have also been introduced. If new population forecasts are introduced beyond 2041, it is recommended that municipalities be given the option to either use the new forecasts or to complete their current Municipal Comprehensive Review processes that are underway as this change could necessitate significant revisions to completed work in achieving conformity with current requirements. Clarification is requested on if additional lands are required to accommodate residential development for the additional two years (a total of twelve years) and there is concern that Provincial financial tools that can be used to enable municipalities to collect infrastructure funding will not be sufficient to

APPENDIX I**Comments on Proposed Changes to the Provincial Policy Statement, 2014**

provide additional years of supply. Additionally, provincial support in data acquisition and the provision of standardized definitions, methodology, and tracking across municipalities is requested. *Please refer to comments on PPS 2019 policies 1.1.1, 1.1.2, 1.1.3.8, 1.4.1., 1.7.1, 4.7, definitions, and subsections.*

Please accept detailed comments from Regional staff in Appendix I, as attached. Regional staff wish to continue to be circulated on future updates to the PPS 2019 and look forward to receiving further information or consultation opportunities.

Regards,



Adrian Smith, MCIP, RPP
Chief Planner and Director (Acting)
Regional Planning and Growth Management

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

APPENDIX A - DETAILED COMMENTS ON THE PROPOSED PROVINCIAL POLICY STATEMENT, 2019

Part 1: Preamble

Many policies which were in Part V, Section 4.0 (Implementation and Interpretation) in the PPS 2014 have been moved to the preamble. They are no longer numbered policies, which creates difficulty in referencing them. Regional staff are also concerned that removing these as policies could be interpreted that there is less of a requirement to adhere to them. Clarification is requested around the rationale for moving them and possible implications.

Part IV: Vision for Ontario's Land Use Planning System

It is recommended that the term Indigenous is consistently used except where a direct reference to section 35 is to be made. The third sentence of the third paragraph could be revised as follows: "The Province recognizes the importance of consulting with Aboriginal Indigenous communities on planning matters that may affect their section 35 Aboriginal or treaty rights." It would also be helpful to have provincial guidance on what will be expected through consultation with Indigenous communities.

Part V: Policies - 1.0 Building Strong Healthy Communities

- 1.1.1. b)** The meaning of "market-based" housing is unclear and no definition is provided in the PPS. Including the term may allow developers to focus on building low-density residential development, as they may claim that low-density residential housing is what the market demands.

The market is currently providing single detached dwellings as the largest share of the housing construction completions in Peel, while the needs for apartments, rental units, supportive housing, and subsidized housing is being unmet. For further information, please refer to the 2018 Peel Housing Strategy:

<https://www.peelregion.ca/planning/officialplan/pdfs/2018/2018-housing-strategy.pdf>.

The Province should work with areas of greater need (e.g. addressing non-market housing, affordability, and rental tenure) and provide support to affordable housing providers in order to create a more balanced housing continuum.

If the term "market-based" is to be included, it is recommended that it be clear that "market-based" includes an assessment of tenure, unit mix, size mix and affordability.

- e)** The Region supports including language that emphasizes transit-supportive development, intensification, and infrastructure planning throughout the PPS. However, policy 1.1.1.e. should extend beyond "optimization" by encouraging transit needs to be considered prior to development. A "transit-first" approach will encourage introduction of transit connections to new/growing communities.

- f)** The Region recommends that the terms "identifying, preventing and removing" be reinstated in the policy. The term "addressing" weakens the potential to prevent and mitigate land use barriers that can disproportionality impact older adults and persons with disabilities.

- i)** The Region supports the use of stronger language when referring to climate change impacts and the need to "take action" and "prepare for the impacts" as opposed to "consider action". It is suggested that the Provincial Policy Statement (PPS) include encouragement for municipalities to complete community greenhouse gas inventories which can inform future land use. Municipalities can mitigate against the negative effects of climate change by planning for low-carbon communities through the use of land-use policy tools and approaches. The guidance document

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

which was developed by the Province to help municipalities develop quantitative, targeted strategies for supporting communities in making the transition to a low carbon future could be referenced in the policy.

- 1.1.2.** The Region does not have a concern with changing the planning horizon from up to 20 years to up to 25 years. It is recommended that if new forecasts are introduced beyond 2041, municipalities be permitted to either use the new forecasts or complete their current Municipal Comprehensive Review processes that are underway as this change could necessitate significant revisions to completed work in achieving conformity with current requirements.

The Region does not support the addition of the text “and *employment areas*” to this policy as employment areas are addressed in policy 1.1.3.7. Planning for employment areas beyond the 25-year time horizon could undermine efforts to intensify existing employment areas and encourage the over-designation of lands. It is recommended that the proposed policy allowing planning for employment lands beyond 25 years not be included since existing policies already allow protection of employment areas beyond the planning horizon but do not go as far as actually designating employment lands beyond the planning horizon.

- 1.1.3.2. c)** The Region suggests re-wording this subsection or including an additional subsection that states: “prevent, and where possible, mitigate impacts from air quality and climate change to protect public health.”

d) The Region supports the addition of policy 1.1.3.2.d. and its implications for sustainable land use planning. Please see related comments on section 1.1.3.6.

- 1.1.3.3.** The Region is supportive of the inclusion of text regarding transit-supportive development. There is no objection to the proposed deletion of cross-references to Sections 2 and 3 provided the PPS continues to be interpreted to be read in its entirety and that all relevant policies are to be applied in each situation. Policy directions in Sections 2 and 3 are relevant to ensuring intensification and redevelopment which appropriately addresses natural heritage and resources protection and the implications of natural and human made hazards on development.

- 1.1.3.6.** Changing the language from “shall” to “should” contradicts policies 1.1.1., 1.1.3.2, and others which promote compact, complete, and sustainable communities which are prepared for the impacts of a changing climate. It is recommended that the language is left as-is. Further clarification is requested on why policies have been changed from “shall” to “should,” and what implications the policy has on implementing complete communities as per Growth Plan 2019 policies, if the change remains.

- 1.1.3.8. a)** It is requested that the Province provide information on a consistent source of market demand indicators across municipalities. It is unclear how satisfying market demand ensures Growth Plan targets are met, when our focus for directing growth should be via intensification.

e) The revisions provide clarification and improve interpretation of the policy. The revision is consistent with similar policy direction in the Growth Plan 2019, and the Province has provided draft agricultural impact assessment guidelines.

The Region has no objection to the proposed deletion of cross-references to Sections 2 and 3 and the addition of language that permits municipalities to determine the level of detail needed to fulfill comprehensive review requirements aligned to the complexity and scale of proposed settlement expansions provided the

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

PPS continues to be interpreted that it is to be read in its entirety and all relevant policies are to be applied in each situation. Policy directions in Sections 2 and 3 are relevant to the determination of appropriate locations for settlement expansion and should continue to provide guiding criteria for expansion studies.

- 1.1.3.9.** This policy lacks clarity and is inconsistent with the new policies of the Growth Plan 2019. There is no reference to the ability to expand settlement area boundaries outside of a municipal comprehensive review for lands less than 40 hectares. In addition, there is no reference that the lands must be outside of the Greenbelt, as required in the Growth Plan 2019. It is recommended that this proposed policy be consistent with the Growth Plan 2019 or be omitted from the PPS.
- 1.2.1.** **d)** Additional text should be added to address waste management system needs in accordance with existing waste management policy statements (e.g. Food and Organic Waste).
- 1.2.3.** The PPS should consider specifically naming climate change considerations into the policy (underlined): “Planning authorities should coordinate emergency management and other economic, environmental, climate change, and social planning considerations to support efficient and resilient communities.”
- 1.2.4.** Clarification is requested on how terminology and definitions in PPS are being coordinated with those in the Growth Plan. The Growth Plan identifies transit corridors as “priority transit corridors”, whereas in the PPS it is referred to as “major transit corridors”. It is recommended that defined terms remain consistent throughout the various Provincial Policy documents.
- 1.2.6.1.** The Region supports the stronger language in the policy but suggests two revisions. Air quality should be a specific inclusion, for example (underlined): “...adverse effects from odour, noise, air emissions, and other contaminants...”.
- The policy should also be revised to give further consideration to the existing waste management policy statements and guidelines (e.g. Food and Organic Waste, D-Series), in particular the protection of existing and planned facilities to build a circular economy in Ontario.
- 1.2.6.2.** The Region is generally supportive of the new policies to protect employment lands from intrusion by sensitive land uses to avoid incompatible nearby land uses. Please revise the policy to remove the wording “adjacent to” and replace it with “within the zone of influence of”. “Resource recovery” should also be added to the list of existing or planned uses.
- b)** It is recommended that where provincial guidelines, standards, and procedures do not exist or where stronger mitigation measures have been developed, potential impacts should be minimized and mitigated using best practices developed by recognized agencies. For example, the U.S. Environmental Protection Agency has developed recommendations on Best Practices for Reducing Near-Road Pollution Exposure at Schools, in addition to recommendations for municipal planners on technological, design, and planning approaches to mitigate exposure to traffic-related air pollution.
- 1.3.1.** **a)** The addition of “mixed uses” is supported to create complete communities with a mix of jobs and other employment-related land uses.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

c) Municipalities conduct this type of work on a case by case basis and would not support a one-size fits all approach to this planning. There are concerns with provincial reporting requirements related to such a policy.

1.3.2.2. The Region is supportive of the recommendation to protect employment lands from intrusion by sensitive land uses to avoid incompatible nearby land uses. "Resource recovery" should also be added to the list of planned uses.

1.3.2.3. "Resource recovery" should also be added to the list of planned uses.

1.3.2.4. Conversion of lands within employment areas should be subject to the same considerations as set out in policy 1.2.6.2 (land use compatibility).

1.3.2.5. This policy is inconsistent with Growth Plan 2019 policy 2.2.5.10. Growth Plan policy 2.2.5.10.b. further states that the converted use must also maintain a "significant number of jobs," which is not reflected in this proposed PPS policy. Consistency between documents is recommended for clarity in interpretation. Additionally, it is recommended that a new policy be included to recognize the changing economy and nature of employment (i.e. work from home arrangements, automation, warehousing and logistics) by allowing for the flexible accommodation of new types of employment.

1.4.1. The Region is supportive of changing the language from the PPS 2014 from "housing types" to the defined term "housing options".

a) Clarification is requested on the justification for the change from 10 to 12 years. Clarification is requested on whether municipalities would be required to designate additional lands to accommodate residential development. There is concern that Provincial financial tools that can be used to enable municipalities to collect infrastructure funding will not be sufficient to provide additional years of supply. Additionally, provincial support in data acquisition and the provision of standardized definitions, methodology, and tracking across municipalities is requested.

1.4.3. a) It is positive that the PPS now states that minimum targets for affordable housing for low- and moderate-income households will need to align with applicable housing and homelessness plans. It would be helpful if the Province went further and gave municipalities better tools or concrete methods for creating housing targets and monitoring-measuring programs.

b) To facilitate the development of new and refurbished residential and multi-residential dwellings, they should have the capability to support waste management systems that focus on reduction, reuse, recycling and resource recovery (e.g. update building code to include separate chutes; sufficient waste bin storage within and around property).

e) Further clarification is requested about "air rights development". A clear definition should be provided. How will "air rights development" impact efforts around establishing first and last mile connections? Intensification in proximity to transit, corridors, and stations is supported, however, clarification is requested around what "including corridors and stations" is inclusive of – does this mean developing on transit stations?

1.5. It is recommended to include the following as an additional policy subsection: "e) where possible, separate public spaces, recreation, parks, trails, and open spaces from sources of air quality emissions."

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

- 1.6.** The policy revisions addressing the impacts of a changing climate and growth management are supported.
- 1.6.3.** It is recommended that the D-Series guidelines be updated, and that the PPS would then be updated to be in accordance with the most recent version. It is recommended that municipalities be required to designate and protect land for organic and other waste processing needs in accordance with the D-Series guidelines.
- 1.6.6.1.** The servicing hierarchy of the PPS previously provided flexibility to municipalities to provide municipal servicing, then consider communal services, and then individual on-site services in that order. The changes to policies 1.6.6.1 to 1.6.6.4 put more emphasis on communal services, which is not supported.
- 1.6.6.3.** This policy revision is not supported. Municipalities are required to assume ownership of failed communal water and wastewater systems. When this change of ownership occurs there is unplanned and unfeasible financial risk transferred to the municipality. This amendment removes the ability of municipalities to mitigate this risk by not permitting private communal services.

The PPS 2019 proposes that where municipal services are not available, planned, or feasible, private communal services are the preferred form of servicing for multi-unit/lot development. The existing PPS 2014 policy clarifies that municipalities have discretion to approve private communal services. This policy should be retained and strengthened by including the criteria that should be considered when proposals for private communal services are received.

Private communal servicing exposes municipalities to a financial risk over the lifetime of the services as municipalities are required to enter into responsibility agreements with private owners. In the event of a system failure, municipalities are then bound to finance and complete repairs or system replacements to meet public servicing standards in the event that private owner does not have the financial resources. Private communal services should not be a default option in the policy statement with no discretionary ability for municipalities to review servicing with the appropriate consideration of financial sustainability, environmental, and technical risks over the life cycle of the asset. In particular, the revised PPS policies regarding communal servicing do not align with the Region's supported servicing options in the Palgrave Estate Residential Community (PERC). Town of Caledon has recently completed a review of Official Plan policies for the PERC. The proposed amendment included deleting policies which may permit communal servicing, and stating clearly that communal services are not permitted. These policies, to be adopted as part of the Town's Official Plan 2041 Review, were supported by the Region and circulated to the Province in June 2018; no objections were presented. The PERC also benefits from being within Peel's partial servicing area, providing another alternative for applicable developments to receive piped municipal water services, avoiding the need for private communal water services.

In addition to financial risk to the municipality, there is a significant public health and safety risk in the case of communal system failure. In retaining and strengthening the existing PPS 2014 policy as recommended, there should also be a cross reference to ensuring the proposed communal system meets the tests of 1.6.6.1.b. to the satisfaction of the municipality.

- 1.6.6.4.** It is recommended that the following sentence uses the word "only" which was included in the PPS 2014, as follows (underlined): "In settlement areas, individual on-site sewage services and individual on-site water services may only be used for infilling and minor rounding out of existing development." Clarification is requested

APPENDIX I**Comments on Proposed Changes to the Provincial Policy Statement, 2014**

regarding the implementation of this policy as revised. In particular, clarify expectations for the long-term impacts assessment and reporting.

1.6.6.5. It is recommended that the new policy addition specify that it applies to existing lots of records as of a specific date (i.e. the date the PPS 2019 is in effect) to limit development outside of settlement areas. There is concern that this policy could allow for applications such as severances in the rural area outside of the Region's current partial service area to be eligible to receive partial services for the creation of new lots.

1.6.6.7. The policy revision is supported.

1.6.7.2. The policy revision from "shall" to "should" is not supported. The term "should" minimizes the focus of transportation demand management (TDM) in managing demand. TDM is a key strategy for meeting transportation demands that stem from growth.

1.6.7.5. This policy was previously included in the PPS 2014 and no longer appears in the proposed PPS 2019. The Region does not support the removal of this policy as it is an integral component of supporting land use planning initiatives and implementation of key infrastructure. Removal of this policy is contradictory and unsupportive of other policies that make reference to healthy, livable, and safe communities (policy 1.1.1.e) and land use compatibility (policy 1.2.6.1). The decoupling of land-use and transportation within all stages of the planning process is advised against and it is suggested that this item be reinstated in this update to the PPS. Removal of this policy compromises the shift towards sustainable and active transportation initiatives / programs. Without this policy, there is no requirement for development proposals to consider transportation impacts and sustainable/active transportation options as part of the development process. Policy 1.6.7.5 also sets the standards for also implementing Growth Plan 2019 policies (section 3.2.2). Consistency should be maintained across all Plans.

1.6.8.5. Clarification is requested on the ways this change will support the implementation of the GTA West Corridor. A key component of this is the co-location of facilities since it is the most efficient use of infrastructure.

1.6.10.1. This policy should be expanded to include requirements and protection afforded to other infrastructure components such as:

- a focus on reduction, reuse, recycling and resource recovery;
- reference to other supportive provincial policies;
- protection from encroachment of sensitive or incompatible land uses for existing and planned resource recovery facilities;
- housing development standards that support waste management systems by requiring provisions for reduction, reuse, recycling and resource recovery; and
- identification of waste management infrastructure (both processing facilities and amenities within residential dwellings) to be required early in the development review process and at every step of the planning process.

1.6.11.1. The policy revision is supported.

1.7.1. The term "market-based" has been added repeatedly and is not supported. See previous comments on policies 1.1.1.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

- 1.8.1. It is recommended that the policy be revised to state (as underlined): "...improved air quality and reduced exposure to air pollutants, reduced greenhouse gas emissions..."

e) This policy revision is supported.

h) It is suggested to include an additional subsection (i.e. 1.8.1.h.) that states: "Avoid siting sensitive land uses within 500 feet of major roadways (> 50,000 vehicles per day). If avoidance is not possible, minimize and mitigate any potential adverse effects from transportation-related air pollution to minimize risk to public health and safety."

Transportation is a major concern because people are widely exposed to its emissions. People living near major roads and travelling in cars are exposed to higher levels of air pollution. Exposure to air pollutants from traffic emissions generally occurs within 300 to 500 metres from a highway or major road, with the highest exposure closest to the road and decreasing with distance from the road. This comment could also be applied to Section 1.6.7.

Part V: Policies - 2.0 Wise Use and Management of Resources

- 2.1.10. The addition of policy regarding how municipalities may plan and regulate development and site alteration regarding non-provincially significant wetlands is supported in principle. The policy direction for non-provincially significant wetlands should be strengthened with appropriate flexibility to enable municipalities to protect, improve or restore wetlands and permit development and site alteration in accordance with guidelines issued by the Province. The Province should consult with municipalities, conservation authorities and stakeholders on draft guidelines. Guidelines for wetland protection, restoration and enhancement should reflect the mitigation hierarchy and emphasize avoidance and minimization first before mitigation and compensation options are considered.

2.2.1. The policy addition is supported.

2.3.2. The policy addition is supported.

2.3.3.3. The policy revision is supported.

2.3.6.1. The policy revision is supported.

2.3.6.2. The policy revision is supported.

- 2.5.2.2. It is recommended that this policy revision be excluded from the PPS or be amended to clarify that the proposed area of disturbance for extraction may be restricted where extraction is considered in or near natural heritage features. Recommended revised wording is as follows (underlined): "... provided that the proposed area of disturbance and long-term rehabilitation can demonstrate...".

2.5.2.4. Clarification is requested on the purpose of this policy addition regarding the *Aggregate Resources Act*.

2.6.5. The policy revision is supported.

Part V: Policies - 3.0 Protecting Public Health and Safety

- 3.1.1. The delineation of floodplains and characterization of flood risks are based on IDF curves which rely on historical records of precipitation to determine critical thresholds. These records may not reflect future projections in light of climate change. Please

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

provide clarification on the method for determining the one-hundred-year flood standards and whether the current policy framework regarding regional flood event standards is adequate for climate change. Will the Province address this through policy changes in the PPS or in guidance documents?

3.1.3. The policy revision is supported.

3.2.2. It is suggested to add "to human health" at the end of the policy statement 3.2.2. (i.e. "...no adverse effects to human health.").

3.2.2. Stronger language is recommended for this policy, as follows (underlined): "through planning and development approvals provided that there will be no adverse effects to human health or to the environment." It is also recommended that the Province revise the policy to reference the provincial excess soils best management practices guidance.

Part V: Policies - 4.0 Implementation and Interpretation

4.0. Many of the policies in this section have been re-worded and moved from Section 4.0 as a numbered policy to the unnumbered text in the preamble. What is the rationale for this change?

4.2. The implementation requirement that decisions "shall be consistent with" the PPS should remain as part of the numbered policy, as in the PPS 2014.

4.7. If this policy is to remain, further clarification on the intent and implementation must be provided (i.e. priority applications must be defined). With the recently reduced development application review timelines, a further reduction based on this policy may create difficulty for the implementation of tools and review requirements which ensure good planning and healthy, complete community outcomes.

4.9. The original policy in the PPS 2014, regarding the policies of the PPS representing minimum standards, should remain in the PPS 2019.

Part V: Policies - 6.0 Definitions

Air Rights Development: (Proposed new) Further clarification is requested for the term "air rights development" in the form of a new definition.

Agricultural System: The definition added to the PPS is supported.

Agri-food Network: The definition added to the PPS is supported.

Comprehensive Review: As it has been recommended that policy 1.1.3.9. not be added to the PPS 2019, if the Province omits the policy then reference to 1.1.3.9 should be removed from the definition of *comprehensive review* accordingly. Municipal comprehensive review (Growth Plan 2019) and *comprehensive review* (PPS 2019) have two different definitions. The PPS definitions seems to state that a comprehensive review can take place outside of s.26 of the *Planning Act*, while there are no policies permitting *comprehensive reviews* outside of an official plan review process. Policy 1.1.3.8 notes that settlement areas expansions can only take place at the time of comprehensive review. The Growth Plan states these only occur through an official plan amendment or new official plan under *Planning Act* s.26 (a 5 or 10 year review). This seems to be a lost opportunity to clarify MCR related matters. The definition for *comprehensive review* should also clearly allow for the staged municipal comprehensive review and amendment of an official plan for pertinent matters.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

APPENDIX I

Comments on Proposed Changes to the Provincial Policy Statement, 2014

Excess Soil: (Proposed new) It is recommended that a definition be included for excess soil. This could be similar to the one currently used in the Province's Management of Excess Soil- A Guide for Best Management Practices

Housing Options: The definition added to the PPS is supported.

Impacts of a changing climate: The definition added to the PPS is supported.

Market-based Housing: (Proposed new) The Province should define and clarify what is referred to as market-based housing if the terminology is to be included in the PPS, as noted in previous comments on policies 1.1.1., 1.1.3.8. and 1.4.3. It should be clear to be an assessment based on the needs of the community and strategic housing objectives around affordability, mix of tenure, unit mix, range in size.

Multimodal transportation system: It is suggested that wording throughout the PPS policies include more support for a multimodal transportation system. Currently most of the focus seems to be on transit-supportive development, however, the Region's 50% sustainable mode share target is comprised of walking, cycling, and carpooling in addition to transit.

Municipal sewage services: Either a definition for centralized/decentralized must be added to support the change to the definition of *municipal water services* and *municipal sewage services* or the current definitions as-is are preferred.

Municipal water services: See comment on municipal water services above.

Residential intensification: The revision to the definition is supported.

Transit-supportive: The Region supports the additions of 'proximity to transit stations, corridors and associated elements within the transportation system'. However, clarification is requested on what the term 'optimizes investment in transit infrastructure' suggests. Transit-supportive should go beyond transit optimization. Optimization suggests transit services already exist. Policy needs to support transit-first approach where sustainable and active transportation options are considered during early stages of development proposals and applications.

Waste management system: Waste management system should be consistent with the definition used in the Environmental Protection Act, 1990 and the Food and Organic Waste Policy Statement, 2018: "waste management system means any facilities or equipment used in, and any operations carried out for the management of waste including the collection, handling, transportation, storage, processing or disposal of waste, and may include one or more waste disposal sites."