

December 16, 2022

Dear Minister Clark:

On behalf of Landlab Inc., I would like to congratulate you and your Ministry on initiating the process of consolidating the Growth Plan and Provincial Policy Statement.

Landlab supports your government's commitment to removing barriers to facilitate the construction of new housing units while promoting sustainable land use policies. We wholeheartedly support the Province's goal of constructing 1.5 million new homes over the next decade, and we share your belief that a streamlined planning process should favour projects that embody good planning principles and efficiently use land to deliver on your ambitious housing goals and the Province's housing needs.

For nearly 25 years, Landlab has designed, built, promoted, and enhanced beautiful communities. We are known for creating beautiful, unique and attainable housing projects as well as providing value-added community spaces that are open to all. We strongly believe that beautiful places add value to the lives of those who live, work, and play in them. Landlab's projects add economic value to the cities and towns where they are located, and give back to the pre-existing communities and settlements through their financial and economic contributions, their provision of public open space opportunities, and through their exceptional, high-quality urban design.

Each Landlab project is as unique as the land on which it is developed. We have demonstrated that this approach constitutes a win/win for new residents and existing communities and provides enormous local economic growth. At the same time, Landlab's projects deliver a broad mix of housing options for people across a wide spectrum of household incomes, which helps wider regional and provincial needs. Put simply, our approach builds socially, economically, and environmentally sustainable new communities that strengthen the economic and social fabric of the communities that surround them.

We believe that Landlab's experience with our Lakeport Beach project in Alnwick/Haldimand is an example of why the benefits of consolidating of the Growth Plan and Provincial Policy Statement – and the broader streamlining of the approvals process – is the correct approach.



Benefits of our Lakeport Beach project include:

- 800 new homes
- Upon approval, the project is effectively shovel-ready and could deliver the entire yield of new homes within approximately five to seven years
- \$4.3 million in new annual revenue to Alnwick/Haldimand Township and Northumberland County
- \$8.2 million in development charges to Alnwick/Haldimand and \$2.3 million to Northumberland County
- 100% of capital cost of water and wastewater treatment infrastructure paid by developer with ongoing operations and maintenance 100% funded by users of the systems
- Broad mix of housing types at a wide range of prices – single families, townhomes, apartments, bungalows for those with limited mobility, seniors' units
- Enhanced affordability with a commitment to offering 10% of homes at 10% less than the market value
- 40% of the land will be maintained as greenspace, including 1.3kms of shoreline preserved for public enjoyment
- 2,080 person-years of employment over the construction period
- \$97 million in construction wages over the build-out of the project
- \$40 million per year in new spending from new homeowners that will mainly go to existing local businesses

We have also engaged and continue to work productively with First Nations communities and their consultants to address any concerns as they arise.

Despite these benefits and public opinion research that shows broad support for our project, when faced with unyielding opposition from a vocal minority, Alnwick/Haldimand Council determined that it would not allow any further discussion of the project in the near-term. The inaccurate and selective information posted by self-interested individuals shows a lack of understanding (and deliberate obfuscation) of the existing planning regulations and created unwarranted apprehension in the community. We have taken the time and retained the experts to respond to this misinformation, as well as to respond to local and county municipal questions.

inc.



In our opinion it is regrettable that a vocal minority can have such a disproportionate impact on the approvals process which results in Councils failing to consider or rejecting proposals that would demonstrably improve the social, economic and environmental lot of the whole community. Fear of change and growth among some existing residents prevents the creation of a broad mix of housing options for new residents who need that housing. Sadly, the voices of future residents are not heard and are not represented in the Council chambers. The Province's new legislation will help to address this issue.

### LANDLAB RESPONSE TO ERO POSTING

We have reviewed the posting on the Environmental Registry of Ontario (ERO) and would like to take this opportunity to provide you with our comments on some of the proposed actions and outcomes outlined by your Ministry. We will also, for your consideration, provide suggestions and comments on how the Province might ensure that Ontario's planning system can facilitate the production of more housing units.

Overall, Landlab appreciates that the proposed merger of the Provincial Policy Statement (PPS) and the Growth Plan is intended to prioritize outcomes over process by aiming to reduce the duplication of approvals and processes. We believe that the development process should be flexible and collaborative, where all parties work towards a "yes" on a shared goal, rather than find reasons to say "no". Appended to this letter are our responses and feedback to the five questions you posed.

In summary, we believe that your Ministry's proposed approach will and should:

- Encourage development plans that prioritize the creation of a broad range of housing types and levels of affordability that allow for a healthy and sustainable mix of age ranges and household incomes.
- Use limited land resources in a manner that maximizes the number of units while preserving greenspace and creating community access and shared recreational opportunities.
- Reform the existing provincial planning system into a proactive, progressive regime that encourages the focuses on desired outcomes through responsible development of land and protection of greenspace by maximizing the housing potential of developable land.
- Clarify that any ambiguities in the transition from old policies and regulations to the new, updated planning system you are putting in place to address the housing crisis should be interpreted in such a way as to deliver the greatest number of new housing units within reasonable economic and environmental constraints immediately.

inc.



As an appendix to our submission we have also included some recommended changes to the Planning Act that would simplify the process of developing lands with multiple generations of planning policy applied on it.

### **WORKING TOGETHER TO BUILD MORE HOMES**

Landlab applauds your government's efforts to get more homes built faster across the Province. The need for more homes is not just in big cities, but small towns too. We have been in this business for more than two decades and over the course of that time we have seen an ever-expanding list of new regulations and requirements have added years and significant expense to housing projects. Our experience with our Lakeport Beach project illustrates that sustainable and high-quality complete communities are effectively blocked by the growing pile of regulations that lead to wasteful land practices and fewer more expensive homes at too great a cost to taxpayers, future residents, the environment, and ultimately the Province.

Landlab appreciates the opportunity to provide feedback on how Ontario's land use planning framework can be improved to help the Province reach its goal of building 1.5 million homes over the next 10 years. We believe that an outcomes-based approach, and the flexibility to provide creative solutions are essential ingredients to achieving the Provincial Government's goals.

We respectfully submit the following and remain eager to participate in any way possible to encourage the changes that your government envisions.

Sincerely,



Sean McAdam  
President  
Landlab Inc.

inc.  
p  
o  
l  
o  
n  
a

## About Landlab

Landlab is a boutique land development firm headquartered just outside of Ottawa and is made up of a small, close-knit team that takes on ambitious projects and is dedicated to the creation of meaningful communities.

Landlab projects offer an attractive alternative to traditional suburban planning and are proof positive that investments in thoughtful urban design and high-quality architecture are rewarded by healthier, more vibrant communities. We know the benefits of innovation, harness the advantages of good design, and minimize the risks associated with developing land.



*\*All photos from Landlab's Hendrick Farm project*

## Our Philosophy

Design is at the heart of what makes a place great. The most beautiful cities, villages and communities around the world have a number of time-tested design elements in common. Each of these elements contributes to an environment that puts the needs of people first and, in doing so, creates a setting that helps produce a richer social fabric for their residents and visitors alike. Rome, London, Quebec City, Old Montreal, and the oldest places in North America are attractive places to live and visit because they were designed and built to human scale. They are designed around how people move, rest, interact, and enjoy being in a place. Unfortunately, most aspects of zoning in Ontario fails to recognize the lessons of these great places.

Landlab's Adaptive Developments adjust current zoning codes in an effort to build places where people and their environment come first. We adapt our development plans to the piece of land, instead of imposing off-the-shelf zoning requirements on the land. By doing this we create places where people are naturally drawn to live, work and play. Landlab communities are truly sustainable, provide a rich social fabric and enhance the lives of its residents.



Beautiful design allows for a broad mix of housing types in various price ranges. The preservation of natural amenities protects the environment. Visitors are drawn to vibrant, beautiful communities and residents continually reinvest in their community. Property values start higher and remain stronger than communities built to typical standards. Good design means a healthy community and a healthy bottom line for those investing in it. The following are some of the urban planning components that we incorporate into our communities to make them some of the best on earth.



*\*All photos from Landlab's Hendrick Farm project*

# Adaptive Development Principles



## HUMAN SCALE ARCHITECTURE

Human-scale architecture is the design of physical elements in the built environment that promote a positive user experience – it's architecture that is optimized for human enjoyment and perspective.



## WALKABLE STREETSCAPES

A walkable street uses physical design and landscaping to improve safety by combatting speeding and other unsafe behaviours of drivers. These streetscapes are also specifically designed with the pedestrian experience in mind – they aim to make the pedestrian experience more interesting, to encourage recreational walking over vehicle use.



## POCKET NEIGHBOURHOODS

Pocket neighbourhoods feature homes that share and/or face onto a communal, semi-private green space or courtyard – they are micro-neighbourhoods within the broader community. The shared space at the centre of the pocket neighbourhood has clearly defined boundaries, generally using short garden-fences to separate the private and public spheres.



## URBAN PARKS

Urban parks can be the feature green space in a pocket neighbourhood, or larger central commons-style green spaces. They are green spaces that are available to residents and the public alike, and should include open spaces, seating areas, and trees. Urban parks should be interspersed throughout the community where possible – they don't need to be large, they just need to be present.



## COMPREHENSIVE PEDESTRIAN NETWORKS

A blended use of sidewalks, alleyways, and footpaths that provide a comprehensive way for pedestrians to easily access all areas of the community. All key amenities should be connected through this pedestrian network.



## PRESERVATION OF IMPORTANT NATURAL AMENITIES

Important natural amenities include onsite ecological features such as streams or creeks, riverbeds, trees of significance, or green spaces of historical significance.

# Lakeport Beach

Landlab is currently seeking approvals for a new project in the Township of Alnwick/Haldimand in Northumberland County, Ontario. The Lakeport Beach project follows the urban planning principles of Adaptive Development and will be similar in look and feel to Landlab's Hendrick Farm project.

We have worked with one of the world's most recognized planning firms, DPZ, to propose a comprehensive plan for the site. The proposal for Lakeport Beach features a mix of housing types, from single family homes and townhomes, to bungalows, small cottages, and ground floor one-storey units for seniors. These will be built using authentic materials and classic architecture that focuses on people, not cars. Homes will feature front porches or stoops, and picket fences will delineate private vs public spaces.



The Lakeport Beach plan introduces a variety of components that we believe are necessary to create a complete community. Housing types will appeal to all types of families and to our aging population. Places to walk and explore nature are at the heart of the plan, as approximately 40% of the land at Lakeport Beach will remain green space—whether as forested areas with trails, large and small parks, natural playgrounds, or the 1.3 km of publicly-accessible pebble beach along Lake Ontario. Everyone will be welcome to walk, play, sit in the parks, and enjoy the beach. Landlab's proposal also includes a village-scale community hub where people can enjoy local shops and services. These amenities will be a short stroll or bike ride from all corners of the new community.

Landlab is currently engaging with the local community, Township and County officials, and local Indigenous communities. Several public community engagement sessions were held during 2022, and more information can be found on the Lakeport Beach [website](#).



*\*Illustrations of Landlab's proposed Lakeport Beach project*



# LANDLAB RESPONSE TO CONSULTATION QUESTIONS

## Question #1: What are your thoughts on the proposed core elements to be included in a streamlined province-wide land use planning policy instrument?

Based on our experience, Landlab believes that the following elements that were highlighted in the ERO posting merit a central role in Ontario's future planning legislation to facilitate the construction of more housing:

### **SETTLEMENT AREA BOUNDARY EXPANSIONS &**

**RURAL HOUSING:** The simplification and streamlining of settlement area boundary expansions (SABE), particularly in rural areas, and in areas where there are clearly identifiable features which would support additional growth, is an essential component of delivering a large number of housing starts quickly. The extraordinary demand for housing in Ontario necessitates developers both proposing and building large new developments in relatively small rural communities. In many cases, this scale of development simply cannot be accommodated in existing, small, settlement areas, and requires additional land to be recognized as suitable for development.

The current process for SABEs is a long, complicated, and onerous process, and requires approvals from both the lower and upper tiers of municipal government (where applicable). The process is also prone to interference from Not-In-My-Backyard (NIMBY) residents who resist change and which then provides serious challenges for local councillors. It has been challenging to effectively respond to misinformation. This has led to projects that would be fiscally, environmentally, and socially beneficial to a community being attacked as "not in keeping with the rural community character", bringing in too many new people, creating too much traffic, etc.

Rationalizing barriers to SABA and enabling appropriate expansion where it can be demonstrated that they are fiscally and environmentally responsible

is an important action which would allow rural municipalities to shoulder their fair share of Ontario's goal of 1.5 million new homes over the next 10 years.

Beyond expanding existing settlement areas, the Province should allow the orderly establishment of new settlement areas in contextually appropriate settings. This is particularly important where these proposed developments would make efficient use of land already identified for development but not adjacent to existing serviced areas, provided they can demonstrate how these lands would be adequately serviced.

When considering new settlement areas, the new rules should include requirements that these communities meet a higher standard for density if feasible, and that developers be wholly responsible for financing the servicing solutions required.

Providing measurable criteria for where new settlement areas can be placed, such as a trusted professional evaluation that the proposal would provide a net benefit for the local economy and fiscal benefit for the municipality, would ensure that growth is managed appropriately, and new settlements meet the intent of the outdated regulations.



In our opinion, the Lakeport Beach proposal is an example of where such a new settlement area is appropriate. The Lakeport Beach lands are located within a recreation-based resource area, adjacent to a pebble beach with over 1.3 kilometres of shoreline

on Lake Ontario. Our Lakeport Beach project would contain its own communal services which would be paid for only by the residents of our development. Our independent economic consultants have analyzed and verified our numbers and have demonstrated that Lakeport Beach could not only support the required services but that it would be a net contributor to the municipal tax base. However, current rules on settlement areas based on old servicing technology are a barrier to this development, and instead would allow for one tenth of the homes occupying more of the land on private well and septic systems – all the while creating a burden on municipal finances. In other words, adhering to the existing rules and regulations would use the same amount of land for less than 10% the number of large estate-type housing units, waste valuable shared recreation areas, create a less healthy social and natural environment, and create a net drain on municipal finances. This is one example, but there are hundreds across the Province of Ontario. Small communities do not have the resources to properly assess new technology and as a result are often reluctant to embrace change in the face of any level of opposition.

**HOUSING MIX** – Landlab supports the Province’s goal of ensuring that new developments offer a wide-range of housing typologies and varying levels of affordability. In our view, enabling affordability requires that more dense developments are permitted, including in rural areas, to ensure that a sufficient number and mix of units must be constructed to enable developers to offer some below-market units by offsetting costs. This includes single family homes on small lots, townhouses, and stacked townhouses, formats that are typically prevented by current regulations. Relief from Development Charges and Community Benefit Charges would also be of assistance.

While a greater mix of housing at higher densities may seem normal within the Greater Toronto Area, many rural municipalities are unfamiliar with these forms of homes and are often outright hostile to dense housing typologies for ideological reasons or simply

because they are concerned about the risk change brings. At the same time, very few councillors or staff in small communities would dispute the need for more affordable housing and for attainable housing that opens up opportunities to keep their next generation close to home.



*Landlab townhomes at Hendrick Farm*

NIMBY groups often argue these housing types should not be permitted because they do not match the old, estate-lot format with private on-site services. This opposition is often most prevalent in areas where traditional villages exist and where those villages are themselves examples of a broad mix of housing types ranging from apartments above stores, to townhouses, to row houses and other denser housing types. It is often precisely this mix of housing that offers these villages the very character that NIMBYs most vehemently defend. Provincial support for a mix of housing typologies in developments across all of Ontario is essential for attaining provincial goals such as affordability, especially in rural communities.

**POPULATION AND EMPLOYMENT FORECASTS** –

Landlab believes that municipalities should have a clear and fulsome understanding of how much their community will grow over the near-, medium-, and long-term when making planning decisions. Despite accurate data often being hard to access, it is important that municipalities use reliable sources for their growth projections, and do not manipulate forecasts to limit or reject developments in their communities. Landlab would ask that the Province provide guidance to municipalities on what

constitutes a high-quality and reliable population and employment forecast, based on local and emerging market conditions, and provide support on how to best use it.

**The Lakeport Beach project would result in 2,080 person-years of employment during its construction, generating \$97 million in construction wage income, \$429 million in gross output, and contributing \$205 million to local GDP.**

- Lakeport Beach Fiscal Impact Study by Altus Group - September 22, 2021

**AGRICULTURE** – We believe that the best way to protect prime agricultural land is through the efficient use of development land. This can be achieved by building more dense communities in rural areas. This does not mean high-rise growth, but density that reflects the community potential. This can be enabled by increasing the number of units per hectare mandated for rural development, rather than reinforcing rules that incentivize low density development. This would require implementing new standards in local zoning by-laws that would allow for decreased setbacks from the road for housing, narrower and community-scale internal roads, and the elimination of minimum lot sizes. Increasing density on development land would dramatically lower pressure on sprawl and have an immediate and positive impact on the preservation of agricultural land.



*Landlab's 36-acre Hendrick Farm forest preserve*



**INFRASTRUCTURE SUPPLY AND CAPACITY** –

Small and rural municipalities are often faced with insufficient infrastructure, such as water and wastewater facilities, which hinders the development of housing. The Province should take steps to reduce red tape for alternative and modern servicing solutions, such as modular wastewater systems, which can provide cost-efficient and easily rolled-out solutions that would allow housing construction to proceed

faster and at higher densities than would be feasible through on-site servicing or connections to municipal water and wastewater services.

**OUTCOMES FOCUSED** – Landlab believes that the land use planning and development process in Ontario should, fundamentally, be streamlined and designed to ensure housing is built, not hinder its construction. A key element for ensuring that housing can be approved is to provide options for flexible and creative alternative solutions to impediments that may arise. Today, our land use regime is rigid and yet there are no clear interpretation rules as between municipalities, meaning minor items can delay a housing project for months or years. Further options for municipalities and/or the Province to provide opportunities for flexibility and direction where appropriate, on land use planning issues would ensure the entire planning system becomes more outcomes-oriented.

Further, as we have found during the processing of our development application for the Lakeport Beach property located in the Greater Golden Horseshoe, is that generations of planning system changes have accreted over the last nearly 20 years since the original application was made. For example, the transition provisions are not clear and can be contradictory. Harmonizing the Growth Plan for the Greater Golden Horseshoe and the PPS to remove these contradictions would be very beneficial.

Given the housing crisis, the Province should clarify that where multiple generations of planning policies are applied outside of the Greenbelt Area those policies which would allow for the development of the greatest number of units should apply.

## **Question #2: What land use planning policies should the government use to increase the supply of housing and support a diversity of housing types?**

**ALLOWING CONTEXT-APPROPRIATE NEW SETTLEMENT AREAS:** Landlab believes that establishing new settlement areas where appropriate,

and if certain criteria are met, is a policy which could help jumpstart the construction of many housing units. Allowing housing near lakes, beaches, and other community focal points such as ski hills is an opportunity capitalize on resource-based recreational lands, which in turn would promote local economic development. To ensure that new settlement areas are not “sprawl” or estate development, these developments should be subject to higher density targets and urban design and architecture guidelines which promote walkability and other socially and environmentally sustainable features. To ensure that municipalities are not shouldered with the financial burden of servicing these new communities, developers should be required to provide revenue-neutral solutions for water and wastewater infrastructure when proposing to build where these services do not exist.



**FLEXIBILITY ON LOCAL ZONING STANDARDS** – Many municipalities, particularly in rural areas, do not have zoning bylaws that allow for the efficient use of space on development parcels. Ontario should find opportunities to streamline the process for developers to change local zoning to allow for reduced setbacks, smaller lot sizes, and smaller internal roads tailored to the community they serve. These factors would allow for greater housing density and a broader mix of housing types and create a strong sense of community. This, in turn, would create opportunities for developers to offer homes to various types of buyers, from young to old.

### Question #3: How should the government further streamline land use planning policy to increase the supply of housing?

Reduce Layers of Bureaucracy – From Landlab’s experience in Ontario, the land use planning system is complex and difficult to navigate, partly due to the large numbers of stakeholders who are involved. At our Lakeport Beach project, we have been consulting and working with the local municipality, local councillors and the Mayor, the County, various provincial Ministries, federal government departments, the local conservation authority, and Indigenous groups. In addition, we have held robust public consultations about the project, and we have undertaken a Municipal Class Environmental Assessment which has its own set of statutory consultations. In some cases, stakeholders have provided conflicting advice and instructions, and in others we have experienced delayed responses. In any case, this is a labyrinthian process that adds enormous cost and time and, ultimately, hinders good design.

To streamline this process, Landlab would recommend that fewer stakeholders be responsible for more elements of the process. This would reduce duplication, eliminate conflicting instruction, and untangle the process to be more manageable and linear and would significantly reduce the time to get approvals. In turn, this would enable housing construction to start sooner and at less cost to the eventual homeowners.

#### ALLOW CREATIVE PROBLEM SOLVING FOR

**STANDARDS:** Landlab strongly believes that by working with stakeholders, developers can find better solutions for obstacles in Ontario’s land use planning system while providing for better outcomes. One example is related to Ontario’s required riparian buffer, which at the present time mandates a 30-metre setback. At our Lakeport Beach project, a “stream” has been identified in the centre of the development site. That “stream” is a channelized ditch that was dug by a farmer and holds little ecological value. Despite this, the current rules dictate a 30-metre setback, which

unnecessarily limits the developable lands and thus reducing efficiencies and adding to costs.



Alternatively, Landlab is proposing a 15-metre setback, and to naturalize this “stream” and nearby wetland area so that it can better perform its important role for the ecosystem. These would result in a net environmental benefit, and become features of the project, with the stream located at the centre of the site, all while avoiding an over onerous setback requirement. However, under today’s rigid approach to these setback standards, this approach, which results in a better outcome for both housing and the ecosystem, would not be possible.



Another example where flexibility in standards would be beneficial is related to road design. Landlab’s approach to development features narrow, community-scale streets which promote pedestrian safety and allow for more housing to fit on the development site. In many municipalities, this road design would not be allowed due to over

onerous standards which assume non-context specific items. For example, in another Landlab project, the municipality required the road design to accommodate turning clearance for articulated fire trucks even though there are no articulated firetrucks within a 200 km radius of the community, and even though in historic towns and city centres around North America fire trucks have smaller road widths without meaningfully risking human lives or property. Narrower road widths decrease reckless speeding and improve the day-to-day safety of children and other pedestrian road users and yet existing regulations prevent the introduction of such road design. By working with traffic engineers, Landlab believes it can propose alternate solutions to ensure safety without sacrificing community design and reducing housing unit counts and wants the ability to work with municipalities to do so.

#### **Question #4: What policy concepts from the Provincial Policy Statement and A Place to Grow are helpful for ensuring there is a sufficient supply and mix of housing and should be included in the new policy document?**

**RESOURCE-BASED RECREATION LAND:** The 2020 Provincial Policy Statement was a slight improvement over the previous iteration in relation to allowing for flexibility on resource-based recreation lands. Landlab would encourage the Province to further allow for development on these lands, and to allow greater densities to be achieved to make better use of these spaces. The comments above apply here as well.

#### **Question #5: What policy concepts in the Provincial Policy Statement and A Place to Grow should be streamlined or not included in the new policy document?**

**REDUCING DUPLICATION:** Currently, both the Provincial Policy Statement and A Place to Grow share elements relating to growth management, infrastructure planning and investment, protection

and management of resources, and protection of public health and safety. These elements should be merged in a clear fashion with any duplicative elements removed, to ensure that a single set of clear policies are created. In Landlab's opinion, this would help in both clarifying development requirements, and to speed up the process of building homes.

Landlab also believes that the Planning Act should make clear that where a parcel of land has multiple generations of rules "grandfathered" on a site, the rules which provide for the most efficient use of the parcel, including the maximizing of densities and number of units apply. Clear direction in this regard means more homes can be built faster.



*Streetscape at Landlab's Hendrick Farm project*

# Appendix – Planning Act Proposal

Below is a rationale and proposed amendment to Section 2 (Provincial Interest) and Section 74 (Transition) of the *Planning Act* that would work together to deliver a greater number of homes on lands already identified for development.

- Rationale
- Proposed Language for Sections 2 (Provincial Interest) and ~74 (Transition)

## Rationale

There are discrete parcels of land in the Greater Golden Horseshoe Region that were identified as suitable for development through application processes that began prior to the effective date Growth Plan, 2006, and where the introduction of the Growth Plan created uncertainty about what rules apply.

These older applications result in less efficient forms of development which will limit the ability of developers to create complete communities with a broad range of housing types and price-points. For example, a property may be restricted to a few dozen estate residential lots on private services and prohibited from optimizing the use of the property although that housing could be efficiently and economically serviced – and then be provided at attainable prices for homebuyers.

In essence, these old planning permissions lock in building a relatively small number of land intensive developments at the expense of building a new complete community for more families and individuals at all ages, incomes, and stages of life.

***Planning authorities should be required to update these permissions when landowners and their development partners can show that a more modern and efficient land use plan would yield a far greater number of homes at no additional cost to the municipality.***

In the last two decades, technology has advanced making it possible to provide greater densities and thus additional housing on these parcels than had been previous permitted. This can be done while providing the water and wastewater services in a manner which does not adversely impact municipal taxation rates, municipal taxpayers, or utility ratepayers. Providing solutions to servicing needs that do not impact the municipality has created an opportunity to provide a transition provision in the Planning Act that supports more appropriate residential development on these lands.

## Proposed Language

### PROVINCIAL INTEREST

2. The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- (a) the protection of ecological systems, including natural areas, features and functions;
- (b) the protection of the agricultural resources of the Province;
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the supply, efficient use and conservation of energy and water;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) the minimization of waste;
- (h) the orderly development of safe and healthy communities;

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

(j) the adequate provision of a full range of housing, including affordable housing;

***(j.2) to efficiently use land and infrastructure to maximize the number of residential units;***

(k) the adequate provision of employment opportunities;

(l) the protection of the financial and economic well-being of the Province and its municipalities;

(m) the co-ordination of planning activities of public bodies;

(n) the resolution of planning conflicts involving public and private interests;

(o) the protection of public health and safety;

(p) the appropriate location of growth and development;

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.

## TRANSITION

***74.1: Any matter or proceeding that was commenced before June 16, 2006, shall be continued and finally disposed of under this Act and shall be considered consistent with the legislation or any provincial policies or provincial plans, if any, in place at the time of the application of the matter or proceeding, unless the provisions of this Act provide for a greater number of housing units.***

## NON-APPLICATION TO GREENBELT AREA

***74.2 Subsection (1) does not apply to any land in the Greenbelt Area.***

## PLAIN LANGUAGE:

- Any planning application or Tribunal case that started before the Growth Plan, 2006 came into effect
- Will be decided under this Act according to the rules that were in place when the original application was made
- Unless there are new provisions in this Act that would result in a greater number of housing units being permitted on the lands that are the subject of the application or case.
- But this provision will not apply to lands within the Greenbelt Area.