

DATE: May 8, 2023
REPORT NO: PD-25-2023
SUBJECT: **Proposed Provincial Planning Policy Changes**
CONTACT: Dave Heyworth, Manager of Planning
Brian Treble, Director of Planning & Building

OVERVIEW:

- The purpose of this report is to provide the Committee/Council with an overview of proposed Provincial planning policy changes and comments on key changes.
- The Province continues to propose Provincial planning policy changes (3 separate changes) under the objective of streamlining planning and removing barriers to build more homes faster,
- Bill 97 proposes changes to the Planning Act, More Homes Built Faster Act (Bill 23) and Ministry of Municipal Affairs and Housing Act with a commenting period ending May 6, 2023
- Staff's comments on Bill 97 which have been submitted to the Province to address commenting deadlines are attached as Appendix 1.
- There are proposed regulations, with a commenting period ending May 21, 2023, that would permit the use of site plan control for residential developments of 10 or fewer units under certain conditions relative to distance from shorelines and rail lines.
- The Province is proposing to merge the Provincial Policy Statement and Provincial Growth Plan for the Greater Golden Horseshoe in to one combined Proposed Provincial Planning Statement with a commenting period ending June 1, 2023.

RECOMMENDATION:

1. That, Recommendation Report PD-25-2023, regarding "Proposed Provincial Planning Policy Changes", dated May 8, 2023 be RECEIVED; and,
2. That, Township Council ENDORSE the comments in this report to be forwarded to the Province as the Township's comments on ERO postings # 0196822 and 0196813.

ALIGNMENT TO STRATEGIC PLAN:

Themes #2 & #3

- Support for Business and Employment Opportunities for Residents
- Strategic Responsible Growth

BACKGROUND:

The Province has an ambitious objective to build 1.5 million new homes over the next 10 years in Ontario and to accomplish that they continue to amend planning policy and legislation.

In 2022, the Province of Ontario's Ministry of Municipal Affairs and Housing released two pieces of legislations which had significant impacts on the planning process in Ontario and in the Township, and significant impact on the overall operations of the Township. Bill 109, the More Homes for Everyone Act received Royal Assent on April 14, 2022 and Bill 23, More Homes Built Faster Act received Royal Assent on November 28, 2022.

On April 6, 2023, the government of Ontario introduced the *Proposed Provincial Planning Statement* and Bill 97, *Helping Home Buyers and Protecting Tenants Act, 2023*, with the goal of supporting the Provincial government's housing objectives.

The *Proposed Provincial Planning Statement* can be viewed on Environmental Registry of Ontario (ERO) under posting #019-6813 (<https://ero.ontario.ca/notice/019-6813>). The deadline for written comments is June 6, 2023.

The proposed Bill 97, can be viewed on the ERO under posting #019-6821 (<https://ero.ontario.ca/notice/019-6821>). The deadline for written comments is May 6, 2023.

A proposed regulation regarding the applicability of site plan control for residential buildings is on the ERO as a separate posting # 019-6822 <https://ero.ontario.ca/notice/019-6822> with a comment deadline of May 21st.

The law firm, Osler, has prepared a comprehensive comparison of the *Proposed Provincial Planning Statement* and Bill 97 that is available on their website at: <https://www.osler.com/osler/media/Osler/Content/PDFs/2023-PPS-comparison-Final.PDF>.

The Region of Niagara Planning staff facilitated discussions with area Planners to assist in the review of the proposed Provincial Policy planning changes. The Region prepared summary charts for these discussions which were used in large part for the creation of Attachment 1 and 2 to this report. The Region's assistance on this matter is appreciated.

CURRENT SITUATION:

Currently, the Provincial planning documents fundamentally used in planning by the Township of West Lincoln are the Provincial Policy Statement, A Places To Grow Plan for the Greater Golden Horseshoe (Growth Plan) and the Greenbelt Plan.

The Province continues to make sweeping land use policy and regulatory changes with the objective of building more homes faster.

Proposed Bill 97

Proposal & Comments

A summary of changes proposed through Bill 97 and staff comments, where important, is provided as Attachment 1. This attachment represents the staff comments on Bill 97 which were submitted to the Province to meet the May 6, 2023 comment deadline.

Regulation-making authority for Site Plan Control for 10 units or less

Bill 23 amended Section 41 of the *Planning Act* to limit the definition of "development" to the construction, erection or placing of a building or structure for residential purposes on a parcel of land with more than 10 residential units. Bill 97 proposes to create regulation-making authority to prescribe specific circumstances where site plan control could be used for residential developments of 10 units or less.

The proposed regulations, under separate ERO posting would permit the use of site plan for parcels of land:

- Any part of which is located within 120 metres of a shoreline; and
- Any part of which is located within 300 metres of a railway line.

These changes are proposed to come into effect immediately on filing of the regulation.

Comment

While the regulation is a step in the right direction there needs clarification as to what constitutes a shoreline such as whether a shoreline pertains to a lake shoreline or watercourse shoreline like a river or stream. Also, if the Province thought it appropriate to use site plan control to deal with hazards and compatibility issue then this rational should have been extended to apply to proximity to manufacturing uses, airports as well as natural heritage features to implement environmental impact statement recommendations.

Proposed Provincial Policy Statement

General

The proposed Provincial Policy Statement replaces both the existing Provincial Policy Statement and Growth Plan. The changes are substantial in an attempt to streamline planning policy.

The effective date would be the date specified through an Order in Council approved by the Lieutenant Governor in Council pursuant to Section 3 of the Planning Act. To provide municipalities and other planning authorities an opportunity to understand and adapt to the policy changes, the Ministry is proposing to release the final policies for a short period of time before they take effect (targeting fall 2023).

Comment

In eliminating the Growth Plan, the Province is eliminating a more comprehensive planning approach for the Greater Golden Horseshoe for the more generic Provincial Planning Policies that apply to all of Ontario.

While the Growth Plan represented a comprehensive planning approach, it did represent a prescriptive planning approach that for Township Planning staff was GTA focused and not a Niagara based Growth Plan, beyond the Niagara growth allocations. While the proposed changes provide an opportunity and flexibility to better plan for local interests, the level of comprehensive planning could be greatly reduced depending on local decision making and the pressures for urban sprawl are certainly increased.

Township Planning Staff are supportive of the concept of streamlining planning policy but not at the expense of good comprehensive planning and building complete communities. The proposed changes, in their entirety, turn back the clock on comprehensive planning, building complete attractive sustainable communities and protecting our agricultural lands,

Attachment 2 to this report summarizes the changes proposed through a proposed new PPS. The changes in policy are wide reaching and there are changes in the prescriptive language of the document throughout, relative to the use of words “shall” or “should” or “encourage”. In many cases language has become less prescriptive.

This report provides commentary on changes in policy direction that provide the most concern to staff.

Growth Management

The growth schedules in the Growth Plan which allocate growth targets to the Niagara Region will be eliminated with the introduction of the new PPS. Currently the Region has established growth targets for each municipality based on the current targets in the Growth Plan.

The proposed PPS does state that where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality shall be based on and reflect the allocation of population and units by the upper-tier municipality.

Comment

The issue of not having allocated growth targets from the Province and reference to the upper-tier municipality for conformity will create several growth management issues.

The new PPS is expected to be in effect this Fall. Proclamation of parts of Bill 23 relative to the elimination of Regional Planning responsibilities is expected in the Winter of 2024, being January to March, 2024. The timeline for local Official Plan conformity is November 4, 2023. Local Official Plans will need to conform with the Region’s Niagara Official Plan for conformity purposes, which in many cases will be more restrictive than the proposed PPS as the Niagara Official Plan was developed under the umbrella of the existing PPS and Growth Plan. After proclamation and the dissolving of Regional planning responsibilities, municipalities will be able to establish their own growth targets provided certain Provincial land requirements are met. Local municipalities, such as West Lincoln have done their long range planning based on Master Plans incorporating the Region’s growth allocations.

Providing opportunities for local changes in growth allocations could impact the planning and funding of infrastructure to support growth which will only slow housing development not speed it up.

Housing

While Provincial Policy shall require municipalities to provide for an appropriate range and mix of housing options and densities to meet projected needs, there are no specific affordable housing policies addressing affordable housing targets or requiring municipal policy strategies to do so.

Comment

Addressing affordable housing requires a complex multi-disciplinary strategy of which land use planning is one element. Building more homes faster and increasing supply to address housing affordability may lower prices to an extent but is not the land use policy solution on its own or coupled with facilitating the development of secondary units. Provincial policies should establish a framework for a coordinated, comprehensive approach to address affordable housing. Relying on developers to build cheaper housing because of reduced costs for land is not enough of a strategy.

Settlement Area Boundary Expansions

The Township just completed settlement area boundary expansions to provide enough land partnered with appropriate densities to provide the opportunity for a mix of housing types for the next 30 years.

The Province is now requiring enough land for no less than 25 years but more importantly proposed policies no longer require settlement area boundary expansions to occur through a municipal comprehensive review (MCR). Further, proposed Provincial Policy would no longer require the land need for the expansion to be met.

Comment

The Township has already addressed conformity with the Region's Niagara Official Plan on this matter. While the Township's Official Plan can be more restrictive than the PPS on this matter, the less restrictive Provincial Policy could be used as a basis for further possible expansion requests in the Township and pressures for urban sprawl and unnecessary development of agricultural lands.

Employment Areas and Employment Lands

The Province is proposing changes to the types of uses allowed on Employment Lands outside Employment Areas as well as within Employment Areas. Employment Areas will be more limited to manufacturing type uses and the Province is allowing greater flexibility for uses on Employment Lands outside Employment Areas provided certain criteria are addressed. It should be noted municipalities cannot be more restrictive relative to permitted uses on Employment Lands outside Employment Areas.

The proposed Provincial Policies also make converting Employment Lands and lands within Employment Areas easier from a Provincial Policy perspective. The conversion of lands within an Employment Area would no longer require a MCR.

Comments

The Township will have to do an assessment of its Employment Lands outside the Employment Areas to determine policy issues which will need to be addressed as part of the local Official Plan conformity exercise.

More flexible Provincial Policies on employment land conversions will inevitably create pressure within the Township to convert lands. The Township has just approved a framework for growth incorporating infrastructure planning. Conversion of Employment Areas was not envisioned by this framework. The Province needs to maintain strong policies on the conversion of Employment Lands particularly within Employment Areas. It is important to ensure municipalities will have sufficient lands for employment purposes as part of developing complete communities. Communities with job opportunities are more attractive to move to, providing more impetus to build homes within that community.

Local municipalities should be allowed to be more restrictive than provincial policies to address local planning issues of concern from a local context.

Agriculture

The importance of agriculture to the economy and social fabric of West Lincoln is well known. The Province is proposing changes that will allow up to two secondary units within or in close proximity to a dwelling in the agricultural area with potential for up to three rural residential lot severances per agricultural parcel.

The proposed new lot severance policy is as follows:

1. Residential lot creation in prime agricultural areas is only permitted in accordance with Provincial guidance for:
 - a. new residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:
 1. agriculture is the principal use of the existing lot or parcel of land;
 2. the total number of lots created from a lot or parcel of land as it existed on January 1, 2023 does not exceed three;
 3. any residential use is compatible with, and would not hinder, surrounding agricultural operations; and,
 4. any new lot:
 - i. is located outside of a specialty crop area;
 - ii. complies with the minimum distance separation formulae;
 - iii. will be limited to the minimum size needed to accommodate the use while still ensuring appropriate sewage and water services;
 - iv. has existing access on a public road, with appropriate frontage for ingress and egress; and
 - v. is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands.

More importantly the Province is proposing that municipalities are not allowed to be more restrictive than this approach and must include these consent policies in their Official Plans and implement appropriately by zoning requirements.

Comment

The Township has taken a comprehensive approach in planning for Agricultural lands within the Township while providing for agriculturally related uses and on farm diversified uses. In addition, an important part of this planning involves the protection of agricultural lands for long term food supply. Preventing the fragmentation of agricultural lands and establishment of non-farm residential lots is key to both protecting the land base and agricultural operations by minimizing land use conflicts.

The Province should eliminate the policy mentioned above in this report. West Lincoln had many retirement lots created prior to 2005 which provides the opportunity for this policy to apply.

It is Planning Staff's opinion this policy fundamentally goes against good planning for the agricultural land base and economy. Further these lots would not contribute in any significant way to increasing the housing supply and certainly not affordable housing.

Natural Heritage

The Natural Heritage policies under proposed Section 4.1 and related definitions remain under consideration of the Provincial Government. Once the proposed changes are ready for review and input, they will be made available through a separate posting on the ERO.

Comments

Planning Staff await the proposed changes. The Province needs to be mindful of local Official Plan conformity exercises and compliance with the Region's Niagara Official Plan.

Natural Heritage planning is complex, particularly because of intricate policy differences for natural heritage policy between the various Provincial Plans. The Province should provide a consistent simpler policy approach while still providing the same level of protection

Watershed Planning

The Province is encouraging watershed planning but the policies are a substantial change from the watershed led planning approach in the Growth Plan.

Comment

While sub watershed plans are expensive and time consuming this type of planning is important in protecting the natural environment system. The Province should ensure this type of study takes place, particularly for large greenfield areas and expansion areas.

Timing Comments

As mentioned the timing of the expected application of new PPS policies versus proclamation relative to Regional Planning responsibilities will make the local Official Plan conformity exercise more complex and time consuming.

Small Planning Departments have limited staff resources. Dealing with complex policy issues while dealing with regular development applications and meeting Bill 109 timelines will be challenging. The Province should extend the deadline for local Official Plan conformity.

Further relative to Bill 109, the Province should extend the timeline for decisions on development applications till after local Official Plans have been approved.

FINANCIAL IMPLICATIONS:

Given the timing and magnitude of Provincial Planning Policy changes and Bill 109 decisions on planning applications, the Planning Department may need assistance from consultants or additional staff assistance for the local Official Plan conformity exercise.

INTER-DEPARTMENTAL COMMENTS:

The proposed Provincial Planning policies have been reviewed by the Township's Planning Department with input from the Region's Planning Staff and Area Planners.


CONCLUSION:

Township Planning Staff are supportive of the concept of streamlining planning policy but not at the expense of good comprehensive planning and building complete communities. The proposed changes, in their entirety, turn back the clock on comprehensive planning, building complete attractive sustainable communities and protecting our agricultural lands. Further, local municipalities should be allowed to be more restrictive than Provincial Policies to address local planning issues of concern from a local context

ATTACHMENTS:

1. Summary of Bill 109 Changes and Comments
2. Summary of Proposed Provincial Planning Statement Changes

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Approved by:



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CAO



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Summary of Bill 97 Changes

ERO #019-6821 includes proposed *Planning Act, City of Toronto Act, 2006*, and *Ministry of Municipal Affairs and Housing Act* Changes (Schedules 2, 4, and 6 of Bill 97)

The proposed *City of Toronto Act, 2006* amendments are not included in this table.

Bill 97 also proposes changes to the *Building Code Act, 1992, Development Charges Act, 1997* and *Municipal Act, 2001* (Schedules 1, 3 and 5) which are not subject to this ERO consultation.

The proposed *Municipal Act, 2001* amendments are included in this table for information purposes only.

| Topic | Legislation Section | Summary of Proposed Change | Township Staff Comments | In-force Date |
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| Schedule 6 - Proposed amendments to the Planning Act | | | | |
| New effective date for Bill 109 planning fee refunds | S. 34 (10.12) and new S. 34 (10.13) and (10.14) | Bill 97 proposes to delay the requirement for municipalities to refund zoning by-law and site plan application fees where no decision is made within the statutory time period to July 1, 2023. If any fee refunds were owing between January 1 and July 1, 2023, the refund is deemed not to have been required. In addition, a municipality is not required to refund fees if the municipality is prescribed by regulation when it receives the application (no exemptions are proposed at this time). | While this time delay is appreciated the date is still troublesome given the myriad of provincial land use planning policy and regulatory changes occurring which take up significant staff time to review and absorb and prepare for. The date should coincide with the date at which all provincial land use policy changes are completed and preferably after local Official Plans have been updated and approved. | Royal Assent |
| Information to be forwarded to OLT for a site plan application appeal | S. 41 (12.0.2) | Bill 97 proposes to amend subsection 41 (12.0.2) to provide that any information or material that an applicant must provide to a municipality under subsections 41 (3.3) and (3.4) must also be forwarded by the clerk to the Ontario Land Tribunal in the case of an appeal to the Tribunal under subsection 41 (12) or | Not required | Royal Assent |

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| | | (12.0.1). Subsections 41 (3.3) and (3.4) address prescribed information as well as other information that a municipality may require an applicant to provide. | | |
| Clarification regarding parking for primary residential unit | S. 16(3.1) and S. 35.1(1.1) | Bill 23 introduced restrictions on the ability to require more than one parking space where additional residential units are permitted as of right. Bill 97 proposes to clarify that official plans and zoning by-laws can still require more than one parking space for the primary residential unit. | Not required | Royal Assent |
| Change "parcel of urban residential land" to "parcel of land" | S. 17(24.1)c), 17(36.1), 22(7.2)c)(iii), and 34(19.1)c) | Currently, the <i>Planning Act</i> limits appeals to official plan policies and zoning by-laws that authorize the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a "parcel of urban residential land". Bill 97 proposes to change "parcel of urban residential land" to "parcel of land". | Planning staff are concerned over the ability for up to two additional units establishing in an agricultural area especially when coupled with proposed provincial lot creation policies in the agricultural area. It is planning staff's opinion the units allowed in the agricultural area should be left as is. | Royal Assent |
| Regulation-making authority for site plan control for 10 units or less | S. 41 (1.2) | Bill 23 amended section 41 of the <i>Planning Act</i> to limit the definition of "development" to the construction, erection or placing of a building or structure for residential purposes on a parcel of land with more than 10 residential units. Bill 97 proposes to create regulation-making authority to prescribe specific circumstances where site plan control could be used for residential developments of 10 units or less. A separate ERO #019-6822 https://ero.ontario.ca/notice/019-6822 (comment period April 6 - May 21, 2023) addresses new regulations proposed through Bill 97 under the <i>Planning Act</i> and | While the regulation is a step in the right direction there needs to be clarification as to what constitutes a shoreline such as a shoreline pertains to a lake shoreline or watercourse shoreline like a river or stream. Also if the province thought it appropriate to use site plan control to deal with hazards and compatibility issue then this rational should have been extended to proximity to manufacturing uses, airports and natural heritage features to implement environmental impact statement recommendations. | Royal Assent |

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| | | <p><i>City of Toronto Act, 2006</i> with respect to site plan control. The proposed regulations would permit the use of site plan for parcels of land:</p> <ul style="list-style-type: none"> - Any part of which is located within 120 metres of a shoreline; and - Any part of which is located within 300 metres of a railway line. <p>These changes are proposed to come into effect immediately on filing of the regulation.</p> | | |
| Appeals of interim control by-laws | S.38(4) | <p>Bill 97 proposes to apply a single procedure to enable any person or public body who received notice of the passing of an interim control by-law to appeal the by-law at the time of initial passing (rather than only at the time of extension). Bill 97 proposes to provide 20 days for municipalities to give notice of the passing of an interim control by-law or a by-law extension (instead of the current 30 days) and for appeals to be made within 50 days of the by-law being passed.</p> | Not applicable | |
| New authority for Minister's zoning orders | New S. 47 (4.0.1) | <p>Bill 97 proposes to give the Minister new authority to order, as part of a Minister's Zoning Order, that policy statements, provincial plans and official plans do not apply when other land use planning approvals are applied for (e.g. a plan of subdivision).</p> | <p>Local municipalities have to be consistent with provincial policy. The province should be a leader in promoting good planning principles and abide by their own policy framework.</p> | Royal Assent |
| New Ministerial authority to require development agreements | New S. 49.2 | <p>Bill 97 proposes to provide the Minister of Municipal Affairs and Housing with the authority to require, by order, landowners to enter development agreements with the Minister or with a municipality in relation to lands that have been assigned to the Provincial</p> | <p>Bill 97 needs to clarify what lands/circumstances this would apply to, whether lands subject to a Ministers Zoning Order or otherwise</p> | Royal Assent |

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| | | Land and Development Facilitator. The Minister may also require a landowner to pay for or provide contributions that are more than the <i>Planning Act</i> , the <i>Development Charges Act, 1997</i> , or any other legislation. The requirement to enter into the agreement will act as a condition of development, as only existing uses are permitted until the owner has entered into all agreements required by the order. | | |
| Changes to employment area protections | S. 1 (1) | Modify the definition of "area of employment" to only include heavy industry and other employment uses that cannot be located near sensitive uses, (i.e., not suitable for mixed use). This is related to proposed policy changes for employment uses in the proposed 2023 Provincial Planning Statement. A transition provision is included to address land designated in an official plan for clusters of business and economic uses that may not meet the definition. | <p>This definition change and accompanying policy changes for Employment Areas will create issues from a timing perspective relative to Official Plan conformity. The Township's and Regional Official Plan policies for Employment Areas contain uses beyond those specified in the proposed change.</p> <p>While a transitional provision exists, it would appear to apply to existing uses in Employment Area. The Township and Region both have vacant lands identifies as Employment Areas in their Official Plans. Changes to Employment Area policies may be necessary although, municipalities can be more restrictive for Employment Areas, which will be cumbersome given the timing of Official Plan conformity and expected initiation of the new PPS in the Fall of this year.</p> | On Proclamation |
| Regulation-making authority for new Provincial Planning Statement | New S. 3 (6.1) | Bill 97 proposes to give the Minister authority to make regulations providing for transitional matters relating to the applicability of the proposed Provincial Planning Statement (or other new | Transitional regulations could be beneficial but will depend on the wording of the regulation itself. | Royal Assent |

Attachment No 1 to PD-25-2023

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| | | policy statements issued under the <i>Planning Act</i>). | | |
| Schedule 4- Proposed Ministry of Municipal Affairs and Housing Act Amendment | | | | |

Proposed 2023 Provincial Policy Statement Changes

| Topic Area | Proposed Change / Integration |
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| Aggregates | The proposed PPS (2023) has not made significant changes to the aggregate resources section. References to rehabilitation in speciality crop areas have been removed – however rehabilitation in these areas would be directed by the Greenbelt Plan. [Proposed Section 4.5] |
| Agriculture | The proposed PPS (2023) eliminates the requirement to use the provincially-mapped Agricultural System (which was introduced through the 2017 Growth Plan). Municipalities would now lead the designation of prime agricultural areas, including specialty crop areas. Using the provincial mapping remains an option, as the definition of “Agricultural System” includes identification of an agricultural land base “based on mapping provided by the province where mapping is available and requested”. [Proposed Section 4.3.1] |
| Agriculture | The proposed PPS (2023) eliminates alternative evaluations for settlement area expansions. Under the PPS 2020, a proposed settlement area expansion into prime agricultural areas required an evaluation of alternative locations for expansion. |
| Agriculture | The proposed PPS (2023) expands the definition of “on-farm diversified uses” to include all “land-extensive energy facilities”, such as ground-mounted solar or battery storage, whereas previously only ground-mounted solar facilities were identified. [Proposed definition of “on-farm diversified use”] |
| Built Boundary | The proposed PPS (2023) has not carried forward the concept of a delineated built-up areas that was previously contained in the Growth Plan. |
| Employment Areas | The proposed PPS (2023) changes the definition of “employment areas”. A corresponding change to the Planning Act is also being proposed through Bill 97. The focus of the definition is now on uses that cannot locate in mixed use areas, such as heavy industry, manufacturing and large scale warehousing. [Proposed definition of “employment areas”] |

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| Employment Land Conversions | <p>The proposed PPS (2023) allows municipalities to consider (and landowners can apply for) the removal of land from employment areas outside of a municipal comprehensive review. The tests to be met include that there is a need for the removal, and the land is not required for employment uses over the long term.</p> <p>Currently, the PPS 2020 requires planning authorities to protect and preserve employment areas for current and future uses and permits conversions within employment areas to non-employment uses only where it had been demonstrated that the land was not required for employment purposes over the long term and that there is a need for the conversion.</p> <p>The Growth Plan requires that conversions of lands within employment areas may only be permitted through a municipal comprehensive review where the applicant had satisfied certain criteria</p> <p>In the proposed PPS 2023, an employment conversion request can happen at any time. Applicants do not need to wait until a municipality is undertaking a municipal comprehensive review. [Proposed section 2.8.2.4]</p> |
| Growth Management | <p>The proposed PPS (2023) has not carried forward the Growth Plan requirement for municipalities to plan to specific population and employment targets for a horizon year.</p> <p>The expectation that municipalities will continue to use the 2051 targets at a minimum. Over time, municipalities will be expected to carry out their own forecasting.</p> <p>[Proposed section 2.1 & 2.1.3.]</p> |
| Growth Management | <p>The proposed PPS (2023) requires municipalities, when updating official plans, to have enough land designated for at least 25 years (a change from up to 15 years), with planning expressly allowed to extend beyond this horizon for infrastructure, employment areas and strategic growth areas. [Proposed section 2.1.1]</p> |
| Housing | <p>The proposed PPS (2023) expands the definition of “housing options”. Municipalities are already required to provide for 15 years of designated and available residential land and a three-year supply of serviced land for an appropriate range and mix of “housing options”. The definition has been expanded to specifically include more examples of “soft intensification” and broader housing arrangements and forms. [Proposed definition of “housing options”]</p> |

Attachment No. 2 to PD-25-2023

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| Housing | The proposed PPS (2023) removes the definition of “affordable”. The PPS 2020 generally defined “affordable” as a function of income for ownership and rental housing. This approach is consistent with the province’s proposed changes to the inclusionary zoning regulation. [Proposed definitions] |
| Intensification | The proposed PPS (2023) establishes broader permissions for residential intensification. The proposed PPS 2023 provides three specific examples of residential intensification, to facilitate future development: (1) the conversion of existing commercial and institutional buildings for residential use, (2) development and introduction of new housing options within previously developed areas, and (3) redevelopment that results in a net increase in residential units. [Proposed section 2.2.1.b) 2.] |
| Intensification | The proposed PPS (2023) removes mandatory intensification and density targets for all municipalities. The Growth Plan required municipalities to meet specific intensification and density targets to accommodate forecasted growth. This requirement has not been carried forward, except for the density targets for MTSAs in large and fast-growing municipalities. Instead, municipalities are encouraged to establish density targets “as appropriate, based on local conditions.” Large and fast-growing municipalities are also encouraged, but not required, to plan for a minimum density target of 50 residents and jobs per gross hectare. [Proposed section 2.3.5] |
| Land Use Compatibility | The proposed PPS (2023) encourages industrial and manufacturing uses that do not give rise to potential adverse effects from odour, noise and other contaminants to be developed outside of employment areas in strategic growth areas and other mixed-use areas where frequent transit service is available. It also promotes the transition of uses in lands outside of employment areas to prevent adverse effects on sensitive land uses. [Proposed section 3.5] |
| Land Use Compatibility | The proposed PPS (2023) enhances protections for industrial and manufacturing uses as well as other major facilities from encroachment of sensitive land uses while making subtle, but critical, revisions to the policy language. [Proposed section 3.5] |
| Land Use Compatibility | The proposed PPS (2023) removes requirement for proponent of sensitive land uses to demonstrate need or evaluate alternative locations for sensitive land uses where avoidance of adverse effects is not possible. [Proposed section 3.5] |

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| Major Transit Station Areas | The proposed PPS (2023) carries forward the concept of major transit station areas from the Growth Plan, with the definition and minimum density targets being generally the same. [Proposed definition of “major transit station area”] |
| Natural Heritage | <p>The proposed PPS (2023) does not include natural heritage policies. These policies and related definitions remain under consideration by the government at the time of the April 6, 2023 release. The indication is that the natural heritage policies will be released through a separate ERO posting at a future date. [See note after proposed section 4.1]</p> <p>The vision statement in the proposed PPS 2023 suggests a shift in focus from conserving biodiversity and protecting essential ecological processes to one that balances the use and management of natural resources with attention to appropriate housing supply. [Proposed vision]</p> |
| Natural Heritage | The Growth Plan (2017) introduced a “Natural Heritage System For the Growth Plan” including mapping, definitions, and policies which were required to be implemented by municipalities through Official Plan updates. It is unclear if the Province intends to carry forward the requirements of the Natural Heritage System for the Growth Plan into the PPS (2023). [See note after proposed section 4.1] |
| Provincially significant employment zones | The proposed PPS (2023) has not carried forward Provincially Significant Employment Zones which were introduced to the Growth Plan in 2019. Lands designated as PSEZ are protected from conversion to non-employment uses, except where demonstrated to be appropriate through a full municipal comprehensive review. The implementation document suggests alternative approaches to protect these lands, possibly through the use of minister’s zoning orders |
| Rural Housing and Lot Creation | In addition to a principal dwelling associated with an agricultural operation in prime agricultural areas, the proposed PPS (2023) permits up to two additional residential units as subordinate to the principal dwelling. [Proposed section 4.3.2.5] |
| Rural Housing and Lot Creation | <p>The proposed PPS (2023), through a new policy, now permits the creation of up to three residential lots from an existing agricultural parcel. [Proposed section 4.3.3.1]</p> <p>The proposed PPS (2023) prevents zoning by-laws and Official Plan from being more restrictive in regards to the severing of agricultural lands. [Proposed section 4.3.3.2]</p> |

Attachment No. 2 to PD-25-2023

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| Schools | The proposed PPS (2023), establishes schools as an element of a “complete community” and directs collaboration between planning authorities and school boards. [Proposed section 2.1.4 & 6.2.4] |
| Schools | The proposed PPS (2023) acknowledges and encourages the use of non-traditional school locations where appropriate for the community. [Proposed section 3.1.6] |
| Settlement Area Expansions | The proposed PPS (2023) removes the requirement to demonstrate “need” for a settlement area expansion. The proposed PPS 2023 also reduces the criteria that a municipality must consider before identifying a new settlement area or allowing a boundary expansion, focusing on whether there is sufficient capacity in infrastructure and public service facilities to support the expansion or new settlement area, and avoiding or minimizing impacts on agricultural land and operations. [Proposed section 2.3.4] |
| Settlement Area Expansions | <p>The proposed PPS (2023) has not carried forward the concept of a municipal comprehensive reviews which was cornerstone policy of the Growth Plan as a way to plan the expansion of settlement areas in an orderly fashion.</p> <p>The implication of this change is that municipalities may consider settlement area expansions at any time. There is no limitation on the ability of landowners from applying for an expansion. [Proposed section 2.3.4]</p> |
| Settlement Area Expansion | The proposed PPS (2023) would allow for the creation of new settlement areas. Previously this was not permitted. [Proposed section 2.3.4] |
| Large and Fast-Growing Municipalities | <p>The proposed PPS (2023) introduces and identifies “large and fast-growing municipalities” (Niagara Falls, St Catharines in Niagara) that must grow based on Growth Plan directions. [Proposed definition of “large and fast-growing municipalities” and Proposed Appendix – Schedule 1]</p> <p>“Large and fast-growing municipalities” will be required to identify strategic growth areas in their official plans [Proposed section 2.4.1.1] and encouraged to plan for a minimum density target of 50 residents and jobs per hectare. [Proposed section 2.3.5]</p> |

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| <p>Strategic Growth Areas</p> | <p>The proposed PPS (2023) has carried forward / integrated the concept of strategic growth areas from the Growth Plan. They are to be identified in official plans, and should be the focus of growth. They include major transit station areas. [Proposed section 2.4 and proposed definition of “strategic growth area”]</p> |
| <p>Water Resource Systems</p> | |
| <p>Watershed Planning</p> | <p>The proposed PPS (2023) includes significantly less of an emphasis on the need for watershed planning and subwatershed planning to inform land-use planning.</p> <p>The Growth Plan (2017) included numerous references to watershed and subwatershed planning – and the requirement for these to inform land use planning.</p> <p>With the exception of proposed policy 4.2.3 which encourages watershed planning there are no other references. There are no references to subwatershed planning in the proposed PPS (2023). [Proposed section 4.2.3]</p> |