Provincial Policy Statement 2014

Ontario East Municipal Conference

September 10, 2014

Note to user: This material should not be relied upon as a substitute for specialized legal or professional advice in connection with local activities and decisions pertaining to land use planning and design. Independent legal or professional advice should be obtained when determining the interpretation and application of policies, regulations, programs, strategies and planning and financial tools. Responsibility for decisions remains with the user.
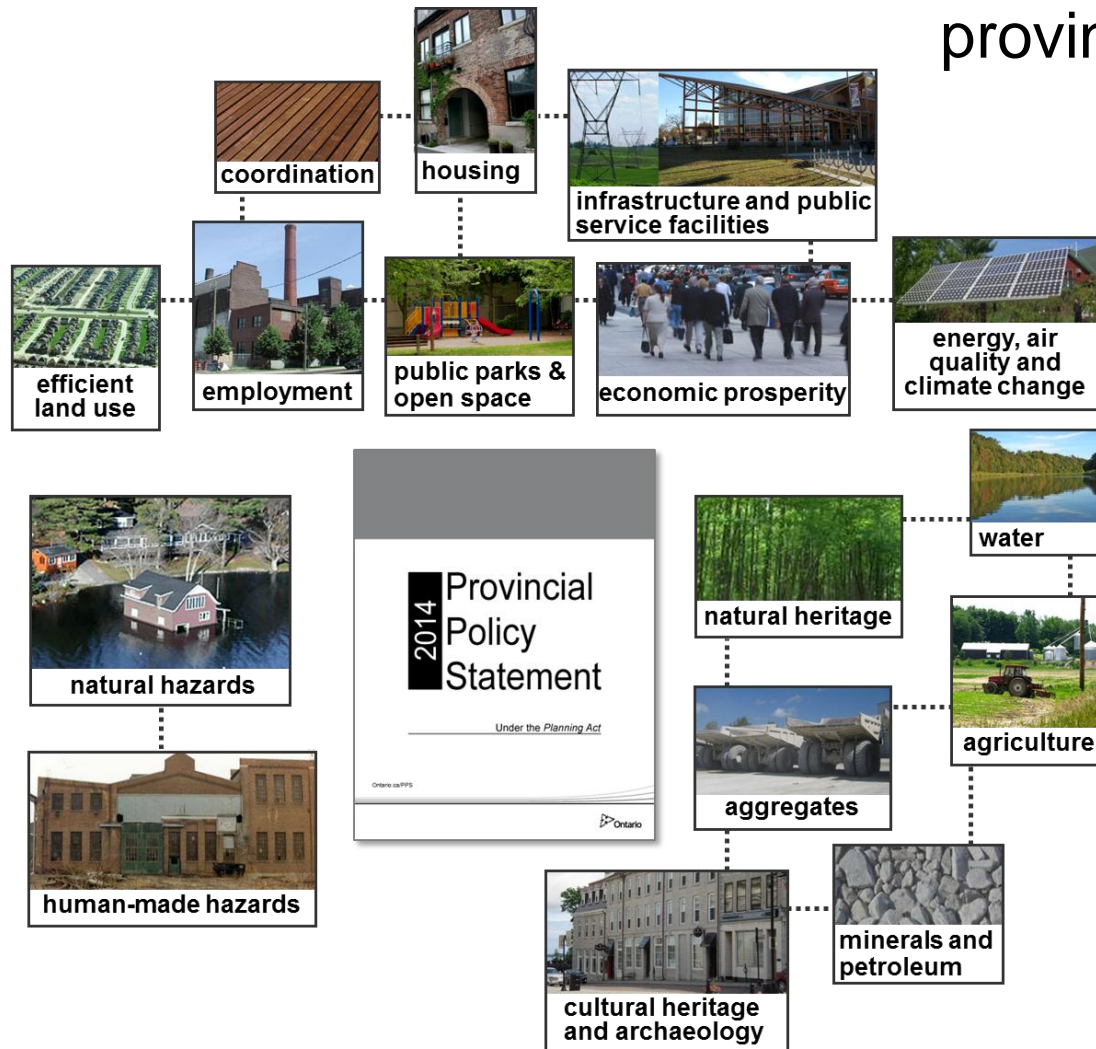
The policies set out in the Provincial Policy Statement (PPS) are the **foundation** of Ontario's land use planning system

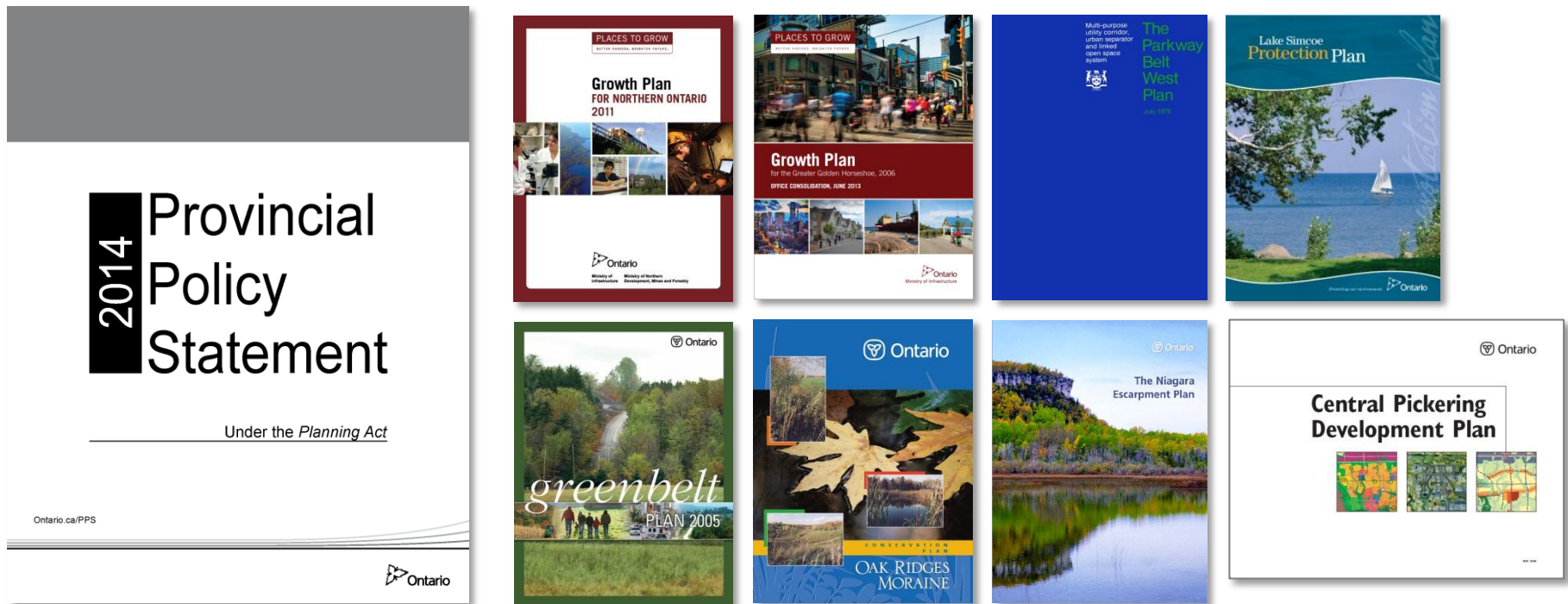All land use decisions shall be consistent with the PPS

Municipalities are the primary implementers

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The PPS includes policy direction on a **wide range** of provincial land use interests

coordination

housing

infrastructure and public service facilities

efficient land use

employment

public parks & open space

economic prosperity

energy, air quality and climate change

natural hazards

2014 Provincial Policy Statement

Under the *Planning Act*

Ontario.ca/PPS

natural heritage

water

agriculture

aggregates

human-made hazards

cultural heritage and archaeology

minerals and petroleum

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The PPS **works together** with provincial plans and legislation

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and **complements** the wider range of provincial initiatives supporting Ontario's goals for sustainable development

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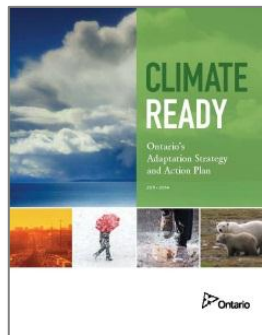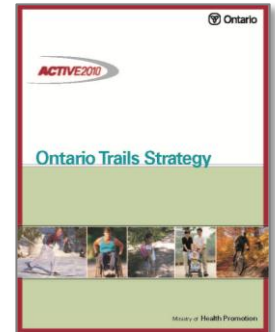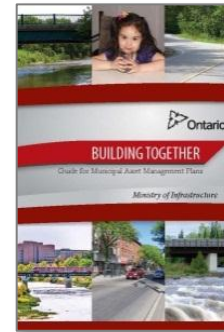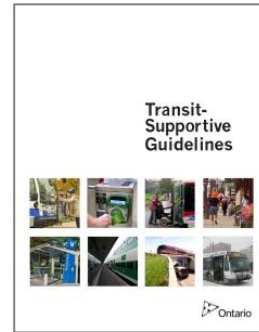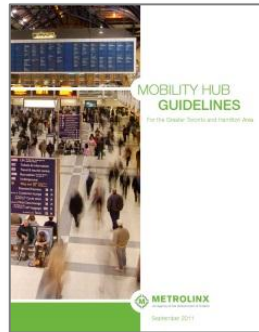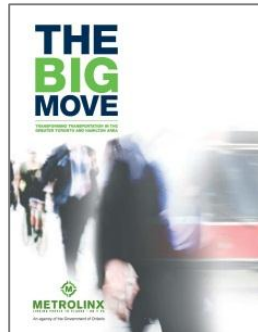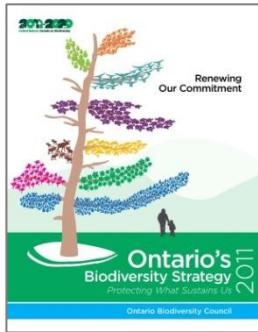
The New Policies

- PPS 2014 policies are based on and reflect the wide range of input received during the review of the PPS 2005

- Two phases of consultation (2010 and 2012) included:
  - o 950+ written submissions
  - o 750+ participants at 18 regional workshops
  - o Meetings with Aboriginal communities and organizations
  - o Meetings with municipal and stakeholder groups

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What We Heard

- There was a prevailing view that the PPS 2005 policies were providing fundamentally sound provincial land use direction

- Revisions were needed in key areas to:
  - better integrate economic, social and environmental considerations
  - respond to rural and northern challenges
  - clarify some policies to better support implementation
  - provide direction for emerging issues

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Provincial Policy Statement 2014

Policy Highlights

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Highlights: Parts I-IV

New sections providing direction for implementation:

- **How to Read Policies**
  - read the entire Provincial Policy Statement
- **Consider Specific Policy Language**
  - shall/shall not vs. should/promote/encourage
- **Geographic Scale of Policies**
  - site-specific vs. broader policies
- **Guidance Material**
  - not meant to add or detract from the policies
- **Relationship with Provincial Plans**

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Highlights: Healthy Communities

- Recognize additional elements of healthy communities, such as community design and planning for all ages **| Policy 1.1.1**

- Recognize institutional uses (i.e., cemeteries, places of worship, and long-term care homes) as important elements of communities **| Policy 1.1.1**

- Require a mix, in addition to a range, of housing types and densities, and promote second units, affordable housing, and housing for older persons **| Policies 1.1.1, 1.4.3**

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Highlights: Healthy Communities

- Promote the use of active transportation, transit and transit-supportive development, and provide for connectivity among transportation modes **| Policies 1.1.3.2, 1.2.1, 1.5.1, 1.6.7**

- Promote coordination between municipalities and other levels of government, agencies and boards (e.g., planning for transit and infrastructure) **| Policy 1.2.1**

- Encourage coordination and co-location of public facilities (e.g., schools, libraries and recreational facilities) accessible by active transportation and transit **| Policy 1.6.5**

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Highlights: Economy and Employment

- Enhance the protection for major industries and facilities from new and incompatible uses that can impact their ability to continue or expand **| Policy 1.2.6**

- Strengthen the protection of corridors for goods movement and protect employment areas in close proximity to corridors and facilities for goods movement **| Policies 1.3.2.3, 1.6.8.2**

- Support long-term planning for employment areas **| Policy 1.3.2.4**

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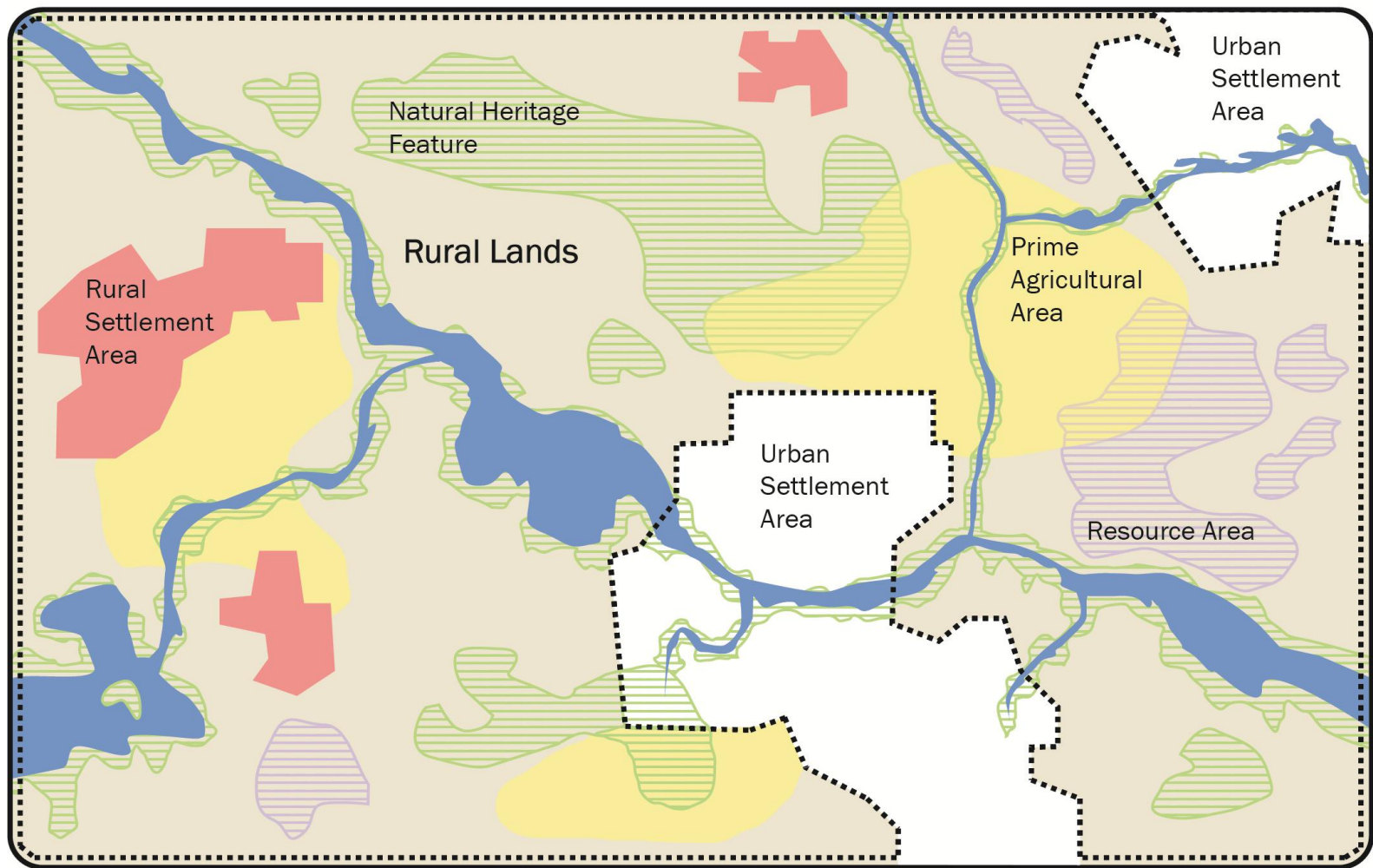
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Highlights: Economy and Employment

- Promote investment-ready communities, place-making and mixed-use areas to support economic development **| Policies 1.3.1, 1.7.1**

- Recognize the importance of communication infrastructure, energy infrastructure and goods movement as essential components of a strong economy **| Policy 1.7.1**

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Highlights: Northern and Rural Communities

- Recognize the diversity of settlement areas and rural areas and that some municipalities are experiencing no growth or declining population **| Various preambles and policies in Section 1.0, such as 1.1.3.1, 1.1.4, 1.1.5**

- New and revised definitions for "rural areas" and "rural lands"
  - "Rural areas" is broadly defined
  - "Rural lands" is more scoped

- New section of rural policies to support healthy, integrated and viable rural areas **| Policy 1.1.4**

- Clarify the types of uses that may occur on rural lands **| Policy 1.1.5**

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Urban
Settlement
Area

Natural Heritage
Feature

Rural Lands

Rural
Settlement
Area

Prime
Agricultural
Area

Urban
Settlement
Area

Resource Area

Legend

Rural Areas:

Boundary of Rural Area

Rural Lands

Rural Settlement Area

Prime Agricultural Area

Natural Heritage Feature

Resource Area

Water

Urban Areas (non-rural):

Urban Settlement Area

Highlights: Northern and Rural Communities

- Clarify that the studies needed to support small settlement area expansions and employment area conversions may be less complex than those required for large projects **| Definition of 'Comprehensive Review'**

- Clarify that municipalities can determine the appropriate locations for required intensification and redevelopment opportunities, and that locally determined intensification targets should be based on local conditions **| Policies 1.1.3.3, 1.1.3.5**

Draft Rural and Northern Primers are intended to help explain some of the policies that affect planning in rural and northern Ontario

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Highlights: Infrastructure and Servicing

- Planning for infrastructure/public service facilities can extend beyond 20 years **| Policy 1.1.2**

- Support the adaptive re-use of infrastructure, and require consideration of life-cycle cost of infrastructure (e.g., through asset management planning) **| Policies 1.6.1, 1.6.3, 1.1.3.8**

- Promote the use of transportation demand management strategies to support the efficient use of infrastructure **| Policy 1.6.7.2, Definitions**

- Strengthen the protection for provincially planned transportation corridors and promote land use compatibility for lands adjacent to planned and existing corridors **| Policy 1.6.8**

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Highlights: Infrastructure and Servicing

- Allow infill and minor "rounding out" in settlement areas on septic tanks and wells where sewer and water services are not provided (i.e., removes five lot limit for development on private servicing) **| Policy 1.6.6.4**

- Require development on private servicing to demonstrate it will not negatively impact surface and ground water **| Policy 1.6.6.4**

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Highlights: Climate Change

- Require the consideration of the potential impacts of climate change (e.g., flooding due to severe weather) to build sustainable and resilient communities **| Vision, Policies 1.1.1, 1.6.1, 1.7.1, 1.8, 3.1.3**

- Encourage the mitigation of greenhouse gas emissions, as well as energy conservation and efficiency through land use planning and design, and the promotion of renewable energy **| Policies 1.7.1, 1.8**

- Encourage green infrastructure (e.g., permeable surfaces) and strengthen stormwater management requirements **| Policies 1.6.2, 1.6.6.7**

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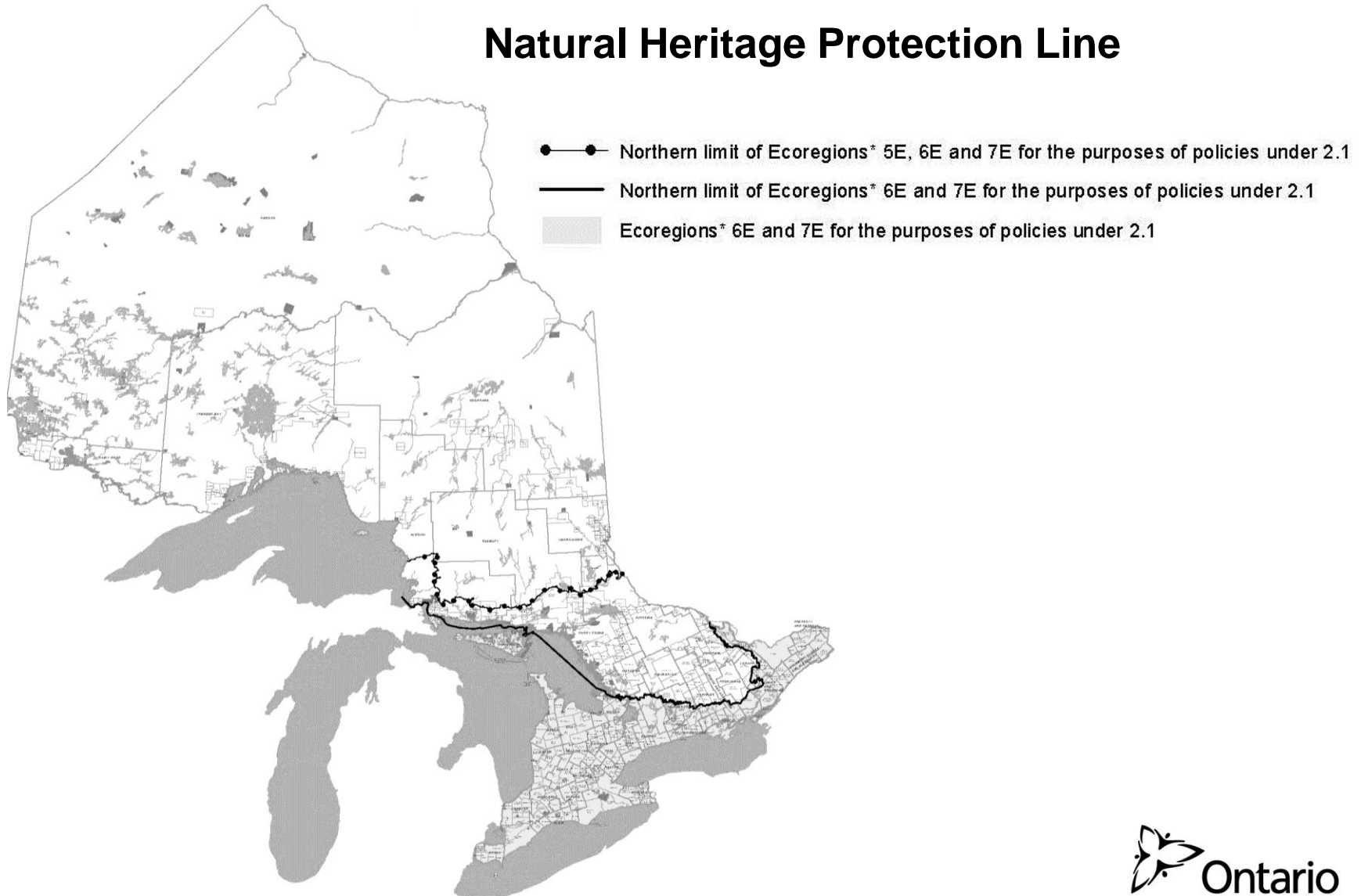# Highlights: Natural Heritage, Wetlands and Water

- Require the identification of natural heritage systems in Ecoregions 6E and 7E **| Policy 2.1.3**

- Refine area of protection of significant woodlands and valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River) to an ecosystem approach **| Policy 2.1.5**

- Protect all Great Lakes coastal wetlands in Ecoregions 5E, 6E and 7E that are not already protected as significant coastal wetlands **| Policies 2.1.4, 2.1.5**

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Highlights: Natural Heritage, Wetlands and Water

Natural Heritage Protection Line

— ● — Northern limit of Ecoregions* 5E, 6E and 7E for the purposes of policies under 2.1

——— Northern limit of Ecoregions* 6E and 7E for the purposes of policies under 2.1

▢ Ecoregions* 6E and 7E for the purposes of policies under 2.1

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Highlights: Natural Heritage, Wetlands and Water

- Protect habitat of endangered and threatened species in accordance with provincial and federal requirements **| Policy 2.1.7**

- Require the identification of water resource systems including shoreline areas, and support consideration of cumulative impacts **| Policy 2.2.1**

- Ensure consideration of environmental lake capacity, where applicable **| Policy 2.2.1**

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Highlights: Agriculture

- Require designation of prime agricultural areas **| Policy 2.3.2**

- Clarify that removal of land from prime agricultural areas can only occur for settlement boundary expansion or identification, and that other non-agricultural uses may only be permitted under certain conditions **| Policies 2.3.5, 2.3.6**

- Promote opportunities for economic activities in prime agricultural areas, support a diversified rural economy by protecting agricultural uses, and promote and protect a range of agricultural uses **| Policies 1.1.4.1, 1.1.5.7, 1.1.5.8**

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Highlights: Agriculture

- Permit more on-farm diversified uses (e.g., agri-tourism) **| Policy 2.3.3.1, Definition of 'On-farm Diversified Uses'**

- Provide flexibility for larger agriculture-related uses (e.g., grain dryers) to service the broader farming community **| Policy 2.3.3.1, Definition of 'Agriculture-related Uses'**

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Highlights: Mineral and Aggregate Resources

- Require identification of mineral, petroleum, and mineral aggregate resources, where provincial information is available **| Policies 2.4.2.1, 2.5.1**

- Support the conservation of mineral aggregate resources, including through the use of accessory aggregate recycling facilities at extraction sites (e.g., pits and quarries), wherever feasible **| Policy 2.5.2.3**

- Promote comprehensive rehabilitation planning, and require mitigation of negative impacts wherever possible as part of progressive and final rehabilitation **| Policies 2.5.3.1, 2.5.3.2**

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Highlights: Mineral and Aggregate Resources

- Strengthen requirements for rehabilitation of aggregate extraction sites in specialty crop areas and further limit extraction below the water table in specialty crop areas **| Policy 2.5.4.1**

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Highlights: Cultural Heritage and Archaeology

- Align policies and definitions with the amended *Ontario Heritage Act* **/ Policies 2.6.1, 2.6.2, 2.6.3 and Definitions**

- Promote the use of archaeological management plans and cultural plans **| Policy 2.6.4**

- Require the consideration of Aboriginal interests in conserving cultural heritage and archaeological resources **| Policy 2.6.5**

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Highlights: Aboriginal

Photo Credit: Ministry of Aboriginal Affairs

- Recognize Aboriginal interests in land use planning **| Vision**

- Encourage coordination with Aboriginal communities **| Policy 1.2.2**

- Recognize that implementation of the PPS shall be consistent with the recognition and affirmation of existing Aboriginal and treaty rights in the *Constitution Act, 1982* **| Policy 4.3**

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Highlights: Hazards

- Require the consideration of the potential impacts of climate change (e.g., flooding due to severe weather) **| Policy 3.1.3**

- Direct development away from areas of high-to-extreme risk of wildland fire unless the risk is mitigated (e.g., by buffer areas or road breaks) **| Policy 3.1.8**

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Highlights: Implementation and Integration

- Recognize Ontario's diversity through reference to the Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms* | **Policy 4.6**

- Recognize the official plan as the most important vehicle for implementing the PPS, and the importance of up-to-date zoning by-laws and development permit by-laws | **Policies 4.7, 4.8**

- Provide more direction on how the policies should be applied and how the PPS works with provincial plans, other legislation, regulations, and policies | **Policies 4.10, 4.12**

- Promote coordinated, integrated planning processes (e.g., *Planning Act* and *Environmental Assessment Act* processes) | **Policy 4.11**

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Effective Date

- PPS 2014 policies took effect **April 30, 2014**

- *Planning Act* amendments effective January 1, 2007 provide that land use planning decisions "shall be consistent" with policy statements in effect at the time those decisions are made

- For planning matters commenced on or after January 1, 2007, this legislative change means that:

  o land use decisions must reflect the policies in place when the decision is made

  o the timing of when a planning application is made is no longer relevant and does not determine the Policy Statement under which it is evaluated

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Support Materials

- Support materials are available or will be developed to facilitate implementation – **www.ontario.ca/pps**

- Primers for **Northern** and **Rural Ontario** help explain some of the polices that affect planning in these geographic areas

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