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Provincial Policy Statement, 2020 Information Report to Council

Report Number: INFO-2020-12

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Distribution Date: April 23, 2020

In accordance with the Procedure By-law, any member of Council may make a request to the Town Clerk that this Report be placed on an upcoming Committee of the Whole agenda for discussion.

Purpose

The purpose of this report is to provide information on the Provincial Policy Statement, 2020, coming into force May 1st, 2020, provide a summary on Town comments provided to the Province in September, 2019, and to compare the new document with the Town's recommendations that were submitted to the province.

Background

The Provincial Policy Statement (PPS) is a high-level document that provides direction on policies relating to land use planning and development in Ontario. The PPS was first implemented under the authority of Section 3 of the Planning Act in 1996, then amended in 1997, and has since been replaced with revised versions in 2005 and 2014.

In 2019, the PPS was under review following the provincial government's release of "A Place to Grow: Growth Plan for the Greater Golden Horseshoe" and the passing of Bill 108: More Homes, More Choice Act in June of 2019, which amended various acts including the Planning Act. The Ministry of Municipal Affairs and Housing sought feedback on the proposed PPS changes. In September 2019 Council adopted staff report 2019-87 and submitted it to the Province as the Town's comments on the draft PPS. The proposed policy changes were categorized into five main policy areas, as outlined below (for the full report, please see Report Number 2019-87):

1. Housing and Land Supply

2. Employment Areas
3. Protecting the Environment and Public Safety
4. Fast Tracking Review of Development Applications
5. Supporting Rural, Northern and Indigenous Communities

The following sections compare the new policy document with staff's recommendations submitted to the province in September 2019.

Discussion

Housing and Land Supply

The PPS 2020 includes the following key policy changes in regards to **Housing and Land Supply**:

- Introduces a market-based approach to housing
- Increases the land supply requirements municipalities must meet by:
 - Increasing planning horizon from 20 to 25 years
 - Increasing housing land supply from 10 to 15 years
 - Allowing upper and single-tier municipalities to establish a higher minimum requirement for serviced residential land (from 3 to 5 years)
- Adds flexibility to the process for settlement area boundary expansions (e.g. allow minor adjustments subject to specific tests, highlight that study requirements should be proportionate to the size/scale of development)
- Requires transit-supportive development and prioritize intensification, including potential air rights development, in proximity to transit, including corridors and stations
- Supports the development of housing to meet current and future housing needs, and add reference to providing housing options
- Supports municipalities in achieving affordable housing targets by requiring alignment with Housing and Homelessness Plans
- Broadens PPS policies to enhance support for development of long-term care homes

In the Town's response to the province, staff noted that the new market-based approach to housing was not clearly defined and that interpretation of the term could vary. The main concerns with the market-based approach were that it may perpetuate the development of less efficient, land extensive, ground-related residential development rather than more efficient, intensive forms of development, and may not account for changing demographics and associated future housing needs. As such, the Town submitted the following comment relative to "Housing and Land Supply":

1. *Include a definition for "market-based" as it relates to housing that speaks to market required housing (i.e. affordable housing, purpose built rental) rather than current market demand for specific housing typologies.*

This comment was not reflected in the PPS 2020 and a definition for a “market-based” housing approach was not provided in the new document.

Employment Areas

The PPS 2020 includes the following key policy changes in regards to **Employment Areas**:

- Permits the conversion of lands within employment areas to non-employment uses in advance of a comprehensive review where the area is not identified as being regionally or provincially significant (i.e. within a Provincially Significant Employment Zones / PSEZ), subject to meeting certain criteria
- Introduces the term “regionally-significant” employment areas, a term not used in the previous PPS documents
- Encourages municipalities to facilitate conditions for economic investment, and at the time of official plan review or update, assess locally-identified employment areas to ensure designations are appropriate
- Provides municipalities with greater control over employment area conversions to support the forms of development and job creation that suit the local context
- (current and future)
- Provides stronger protection for major facilities such as manufacturing and industrial uses where non-employment uses are planned nearby (i.e. buffering uses from new sensitive uses)

In the Town’s response to the province, staff identified numerous concerns in regards to the new processes for employment area conversions and the introduction of the new term “regionally significant employment area”. As such, the Town submitted the following comments relative to “Employment Areas”:

1. *Provide greater clarity regarding who the conversion requests are available to (municipalities, landowners, or both).*
2. *Provide greater clarity regarding any use restrictions of the conversion request (one-time use vs. multiple uses; inclusion of residential uses as part of ‘mixed use’).*
3. *Provide a definition for “regionally significant employment area”*
4. *Consider the use of a more recognized planning process to determine “regionally significant employment areas” in place of identification by a regional economic development corporation.*

These comments were not reflected in the PPS 2020. No greater clarification was provided in regards to the employment area conversion process or the definition of the term “regionally significant employment area”.

Protecting the Environment and Public Safety

PPS 2020 includes the following key policy changes in regards to **Protecting the Environment and Public Safety**:

- Enhances direction to prepare for impacts of a changing climate
- Enhances stormwater management policies to protect water and support climate resiliency
- Promotes the on-site local reuse of excess soil

In the Town's response to the province, staff noted that the previous PPS policies gave more equal consideration to the use of private communal services and individual on-site services (e.g. well and septic system), where municipal services are not available. Whereas the PPS 2020 policies specify that where municipal servicing is not available, planned or feasible, private communal water services are the preferred form of servicing for multi- unit/lot development. As such, the Town submitted the following comments:

1. *The PPS maintain the existing policy direction that gives more equal consideration to the use of private communal services and individual on-site services.*

The policies of PPS 2020 do not reflect the Town's recommendation. The policies laid out in the PPS 2020 state that where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi- unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

Fast Tracking Review of Development Applications

PPS 2020 includes the following key policy changes in regards to **Fast Tracking Review of Development Applications:**

- Require municipalities to take action to fast-track development applications for certain proposals (e.g. housing)
- Allow mineral aggregate operations to use rehabilitation plans to demonstrate that extraction will have no negative impacts
- Align policies and definition of cultural heritage with recent changes to the Ontario Heritage Act
- Refocus PPS energy policies to support a broad range of energy types and opportunities for increased energy supply
- Direct large ground-mounted solar facilities away from prime agricultural and specialty crop areas
- Changes to streamline development approvals

In the Town's response to the province, staff noted that the recent changes resulting from Bill 108 already shortened the approval timelines for planning applications, and the proposed changes to these policies provide little direction on process expectations (i.e., how to prioritize developments, what constitutes "practical extent", how to consider human resource/funding availability and how to ensure responsible/appropriate development). As such, the Town submitted the following comment:

1. *In light of Bill 108, the province first reconsider the need for these changes. If is determined that there is still a need for these changes, it is recommended that language specifying the expectations of the “fast-tracking process” be included, and that municipalities are granted greater flexibility to adopt this process in a manner which is appropriate for their local contexts.*

The Town’s comments were not reflected in PPS 2020. The ‘fast tracking’ policies remain and the document does not provide a deeper explanation of the fast-tracking process, and does not speak to providing flexibility for municipalities to adopt this process.

Supporting Rural, Northern and Indigenous Communities

PPS 2020 includes the following key policy changes in regards to **Supporting Rural, Northern and Indigenous Communities**:

Allow flexibility for communities by clarifying perceived barriers to sewage and water servicing policies for lot creation and development in rural settlement areas.

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- Enhance agricultural protections to support critical food production and the agricultural sector as a significant economic driver.
- Enhance municipal engagement with Indigenous communities on land use planning to help inform decision-making, build relationships and address issues upfront in the approvals process.

As the proposed policies were not directly relevant to Newmarket, Town staff did not provide any recommendations on the proposed policy changes; however staff did indicate general support of the policy changes.

In regards to the enhanced municipal engagement with Indigenous communities, Town staff will work with the Region and local municipalities to develop a strategy that ensures consistent engagement with Indigenous communities across the Region.

Conclusion

Town staff have compared Provincial Policy Statement 2020 with the recommendations that were expressed in Staff Report 2019-87 and submitted to the province. Generally speaking, the proposed changes and recommendations made by staff were not reflected in the PPS 2020.

Business Plan and Strategic Plan Linkages

- Long-term Financial Sustainability
- Extraordinary Places and Spaces
- Economic Leadership and Job Creation

- Vibrancy on Yonge, Davis and Mulock
- Environmental Stewardship

Consultation

None.

Human Resource Considerations

None.

Budget Impact

None.

Attachments

None.

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Approval

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