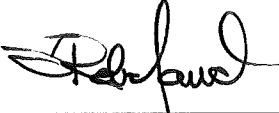


Hamilton

INFORMATION UPDATE

TO:	Mayor and Members City Council
DATE:	May 11, 2020
SUBJECT/REPORT NO:	Provincial Policy Statement (2020) Update
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

The purpose of this Information Update is to provide a summary of the changes made to Ontario’s Provincial Policy Statement (PPS). The final modifications to the PPS were released in February 2020. The updated PPS came into full force and effect on May 1, 2020. All land use planning decisions must be consistent with the policies of the PPS. The policies of the PPS are implemented through the City’s Urban Hamilton Official Plan (UHOP), the Rural Hamilton Official Plan (RHOP), Zoning By-laws and other planning-related decisions.

Background

A draft revised version of the PPS was posted on the Environmental Registry of Ontario (ERO) webpage on July 22, 2019 for a 91-day commenting period. The City of Hamilton provided comments to the Province on the proposed revisions to the PPS through Report PED19188. With the release of the 2020 PPS, the ERO webpage was updated to include a summary of the comments received and the effects of the consultation on the final policy document. The City’s comments provided to the Province were generally echoed in the summary of comments on the ERO webpage.

This Information Update provides follow-up information regarding the policy changes that were included in the final updated 2020 PPS. Notable PPS revisions that are relevant to the City are summarized and discussed under the respective themes below:

Housing and ‘Market-based’ approach

- A shift in policy language to support a market-based approach for land use planning is noted in policies for healthy and safe communities, settlement area boundary expansion, housing, and long-term economic prosperity.

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- For policies related to healthy and safe communities (1.1.1) and housing (1.4.3), the focus on market-based housing has been modified to include reference to the need for an 'affordable and market-based' range of housing options.
- 'Market-based housing' is not a defined term in the PPS, and 'affordable' is not defined within policies 1.1.1(b) and part of 1.4.3. Therefore, the interpretation of these terms in the context of the applicable policies is open to interpretation.
- Settlement area boundary expansion policy 1.1.3.8 a) now requires that planning authorities only allow expansion through a municipal comprehensive review, where it has been demonstrated there are not sufficient opportunities to accommodate forecasted growth and to "satisfy market demand" through intensification, redevelopment in existing designated growth areas. A revised Land Needs Assessment Methodology from the Province would assist planning authorities to determine how "market demand" should be used to determine land need.
- The term 'second units' has been replaced by the term 'additional residential units' (policies 1.1.1, 1.4.3, definitions for 'housing options' and 'intensification'). The change in language signals that more than one additional dwelling unit may be appropriate on a single property and is not required to be within the principle dwelling on the property.

Settlement Areas

- Modification to policy 1.1.3.3 to require identification of appropriate locations for transit supportive development that could accommodate a significant supply and range of housing options. Through this policy inclusion, and the modification to the definition of the term 'transit-supportive' to include air-rights development, the Province is signalling that residential intensification in and around transit station areas is important to support the provision of transit service.
- Modification to policy 1.1.3.6 to state that new development taking place in designated growth areas "should" have a compact built form and mix of uses. This revision is a weakening of the policy language from the previous PPS in which the policy included "shall" to indicate a requirement for compact built form and mixed use development.

Land Supply

- Modification to policy 1.4.1 a) to increase the required land supply for residential growth through intensification, redevelopment, and land in draft approved and registered plans from a 10-year supply to a 15-year supply. This policy has also been modified to permit municipalities to maintain a 5-year supply of units through lands that are suitably zoned to accommodate residential intensification and redevelopment, and land in draft approved and registered plans, whereas the previous requirement was for a 3-year supply.

Climate Change

- Modifications have been made to various policies to address the impacts of a changing climate. These policies relate to land use and development patterns (1.1.1,

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1.1.3.2), sewer and water infrastructure (1.6.6.1), stormwater management (1.6.6.7), energy conservation and efficiency (1.8.1), watershed planning (2.2.1) and hazard planning (3.1.3).

- Revised definition for “impacts of a changing climate” does not address climate change mitigation.

Sewage, Water and Stormwater

- Modification to policy 1.6.6.1 requires that sewer, water and stormwater systems are provided in a manner that prepares for the impacts of climate change, are financially viable over their lifecycle and protects human health and safety.
- Modification to policy 1.6.6.1 clarifies that where municipal services are not available, planned or feasible, planning authorities are able to consider the use of other servicing options as set out in the PPS.
- Revision to policy 1.6.6.3 states that private communal sewage and water services are the preferred form of servicing for multi-lot developments in cases where municipal water and sewage services are not available, planned or feasible. The City’s RHOP does not support the use of private communal services due to liability and financial risk to the City should these systems fail.
- Policy 1.6.6.4 requires municipalities to assess the long-term impacts of individual on-site water and sewage services on the environmental health and character of Rural Settlement Areas (RSA) at the time of official plan update or review. Guidelines for how to carry out the assessments have not been provided from the Province.
- Policy 1.6.6.5 permits infilling on existing lots of record in rural areas where partial services have been provided to address failed services. The infilling must represent a logical and financially viable connection to the existing partial service.

Transportation

- Policy 1.6.7.2 has been modified to reduce the strength of the policy language from “shall” to “should” with regard to efficient use of existing and planned transportation infrastructure.
- Previous policy 1.6.7.5 has been removed. This policy required the integration of transportation and land use considerations at all stages of the planning process.

Natural Heritage

- Proposed policy in the 2019 draft PPS that would allow municipalities to manage wetlands that are not identified as provincially significant has not been included in the final 2020 PPS. The City continues to protect wetlands (Provincially Significant, Locally Significant, and unevaluated) by identifying them as Core Areas within the Natural Heritage System in the Rural and Urban Official Plans.
- The proposed policy in the draft 2019 PPS to allow mineral and aggregate extracting in significant natural heritage features, fish habitat, and habitat of endangered and threatened species has not been included in the final 2020 PPS. The decision not to include this proposed policy aligns with the City’s comments to the Province.

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Implementation and Interpretation

- Proposed policy presented in draft requiring municipalities to ‘fast-track’ certain applications related to housing and job growth has not been included in the final policy document.
- Former PPS policy 4.9 has been deleted. This former policy stated that PPS policies are minimum standards and that municipalities have the ability to go beyond minimum standards, provided there was no conflict with the policies of the Plan. Wording “The policies of this Provincial Policy Statement represent minimum standards” has been moved to Part III of the prefacing text.

Other Changes

- Changes to the policies on rural and agricultural lands are generally consistent with existing policies of the Greenbelt Plan. Most of Rural Hamilton (96%) is within the Greenbelt Plan area.
- Changes to policies on employment areas are generally consistent with the Provincial Growth Plan and the UHOP. Strengthened policies on land use compatibility between sensitive uses and major facilities have been included.
- Strengthened direction for consultation with indigenous communities.

Additional Information and Staff Contacts

For more information about the changes and the effect of the public consultation, please visit the Environmental Registry Office’s webpage for the recent PPS update:

<https://ero.ontario.ca/notice/019-0279>

The revised PPS, 2020 document is available at the Province’s webpage as follows:

<https://www.ontario.ca/page/provincial-policy-statement-2020>

You may also contact the following staff if you have any questions or would like more information, including a summary table which highlights the policies that the City commented on in February 2020, and how those comments were addressed by the Province:

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