

Subject: Proposed Changes to the Provincial Policy Statement

Report to: Planning and Economic Development Committee

Report date: Wednesday, October 9, 2019

Recommendations

1. That Report PDS 31-2019 BE RECEIVED for information;

- 2. That staff **BE DIRECTED** to continue to provide detailed comments on the Provincial initiatives under the "*More Homes, More Choice: Ontario's Housing Supply Action Plan*", and any associated matters, as warranted; and
- 3. That a copy of Report PDS 31-2019 **BE CIRCULATED** to local area municipal Planning Directors.

Key Facts

- This report provides an overview of proposed changes to the Provincial Policy Statement ("PPS").
- On May 2, 2019, Ministry of Municipal Affairs and Housing ("MMAH") announced the Housing Supply Action Plan ("Housing Plan") concurrently with *Bill 108: More* Homes, More Choice Act, 2019 ("Bill 108").
- Earlier reports, PDS 26-2019 and PDS 28-2019, provide an overview and comments on legislative changes to planning-related matters through Bill 108. At the time of those reports, a revised draft PPS had not been released.
- On July 22, 2019, MMAH released the draft PPS and set October 21, 2019 as the consultation deadline.
- Staff prepared comments on the draft PPS for submission to the Environmental Registry of Ontario ("ERO"). A copy is attached as Appendix 1.

Financial Considerations

There are no financial considerations directly linked to this report.

The PPS changes may have a financial impact for the Region. The full cost and administrative burden cannot be determined without further details from the province on

additional consultation requirements and efforts to streamline planning application processes.

Analysis

The Province's Housing Plan

On May 2, 2019, the MMAH announced its Housing Plan: https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan.

The stated intent of the Housing Plan is to cut red tape, increase supply and choice to ultimately make housing more affordable. The Housing Plan includes amendments to 13 Acts – through Bill 108 – as well as changes to the Building Code and the introduction of the 2019 *Growth Plan for the Greater Golden Horseshoe* (in effect May 16, 2019).

The amendments and regulations enacted through Bill 108, and the changes to the Building Code and *Growth Plan*, were outlined in earlier reports (see Other Pertinent Reports).

On July 22, 2019, MMAH announced proposed changes to the PPS as part of its initiatives under the Housing Plan. The ERO proposal, including a copy of the draft PPS, can be found at the following link: https://ero.ontario.ca/notice/019-0279.

The proposed PPS changes are set out in five themes:

- Increasing housing supply and mix.
- Protecting the environment and public safety.
- Reducing barriers and cost.
- Supporting rural, northern, and Indigenous Communities.
- Supporting certainty and economic growth.

MMAH published five questions to collect feedback:

- 1. Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?
- 2. Do the proposed policies strike the right balance? Why or why not?
- 3. How do these policies take into consideration the views of Ontario communities?

- 4. Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?
- 5. Are there other tools that are needed to help implement the proposed policies?

Staff will submit comments to the ERO in response to these questions. A copy of Staff's comments are attached as Appendix 1.

Draft PPS Changes

The following section highlights key proposed changes to the PPS.

Alignment with Provincial Housing and Homelessness Action Plans

Proposed changes reference Provincial Housing and Homelessness Action Plans.

Changes to housing-related policy require municipalities to establish and implement minimum targets for housing which is affordable to low and moderate income households and which aligns provincial housing and homelessness plans.

New "market-based" approach to development

A new "market-based need" approach to development has been introduced in an effort to encourage development and redevelopment that fill gaps in existing housing supply.

This approach is not clearly defined in the PPS, nor has any guidance been provided for its implementation.

"Housing types" replaced by "housing options"; with a new definition

Proposed changes replace the former term "housing types" with "housing options". A new definition for Housing Options is provided.

This change is intended to support municipalities in meeting housing supply needs through encouraging a mix of development types and ownership scenarios. Staff note that the term "rental" is absent from the proposed definition.

New term and definition: "impacts of a changing climate"

The phrase "impacts of a changing climate" is proposed in several policies.

The phrase provides direction for municipalities to encourage best practices in new development and redevelopment to prepare for and adapt to more extreme weather events caused by a changing climate.

Added language emphasises the importance of protecting water quality through enhanced stormwater management practices.

New policy emphasizes "priority applications"

The draft PPS contains a new policy requiring municipalities to streamline development processes for planning applications that support housing and job-related growth and development.

Shifted Duty to Consult from the Province to Planning Authorities

Proposed changes shift the Duty to Consult with Indigenous Communities from the Province to applicable Planning Authorities (which are municipalities, generally).

Shifting the Duty to Consult to Niagara's municipalities will be significant, particularly since they may lack funding, resources, knowledge, and legal authority to carry out the Duty.

Extended municipal planning horizons

Proposed changes adjust planning horizons that municipalities are required to use.

The long-term planning horizon is extended from 20 years to 25 years. The housing land supply horizon is extended from 10 years to 12 years.

Failed rural private servicing are permitted to connect to existing partial systems

Proposed changes would permit existing lots of record that experience failed private servicing to connect to existing partial municipal systems.

The connection must be logical and financially viable, feasibility, and be absent of negative impacts.

Detailed criteria to evaluate feasibility, and responsibility to determine negative impacts, has not been provided.

New policies for employment and sensitive land uses

Proposed changes adjust rules for employment uses, including major facilities such as industrial and manufacturing uses.

New policies are proposed for sensitive land uses where non-employment uses are planned nearby.

Strengthened policy language on transit-supportive practices

Proposed policies direct municipalities to optimize investments in transit-related infrastructure through planning for greater density and intensification around existing or planned transit facilities.

Further, changes promote the integration of land use planning, growth management, municipal infrastructure, and transit-supportive development around transit facilities.

Alternatives Reviewed

The purpose of this report is to provide a summary of proposed changes to the PPS as well as provide Staff's comments to be submitted prior to October 21, 2019.

Relationship to Council Strategic Priorities

Doing Business Differently

Proposed changes to the PPS will impact the way Niagara Region conducts its core planning function. Proposed policy changes will change how the Region and its Local Area Municipalities conduct consultation and process planning matters.

Other Pertinent Reports

- CWCD 176-2019
- CWCD 215-2019
- CWCD 289-2019

- CWCD 320-2019
- PDS 26-2019
- PDS 28-2019

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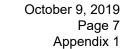
Acting, Chief Administrative Officer

This report was prepared in consultation with Alexander Morrison, Planner, and reviewed by Doug Giles, Director of Community and Long Range Planning, Lyndsey Ferrell, Program Financial Analyst, and Donna Gibbs, Director of Legal and Court Services.

Appendices

Appendix 1 Niagara Region's submission: proposed changes to the Provincial Policy Statement (ERO #019-0279)

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Niagara Region's submission: proposed changes to the Provincial Subject:

Policy Statement (ERO #019-0279)

Date: October 21, 2019

To: **Planning Consultation**

Provincial Planning Policy Branch, Ministry of Municipal Affairs and Housing

From: Rino Mostacci, MCIP, RPP

Commissioner of Planning and Development Services, Niagara Region

Thank you for the opportunity to comment on proposed changes to the Provincial Policy Statement (PPS).

Kindly accept this submission in response to Environmental Registry of Ontario (ERO) posting #019-0279 on behalf of the Commissioner of Planning and Development Services of the Regional Municipality of Niagara (the "Region").

The Region's submission contains two parts:

- 1. This cover letter responding to the five questions on the ERO posting.
- 2. A table containing policy-specific comments to the draft PPS.

Response to ERO questions

Question 1

Do the proposed policies effectively support goals related to increasing housing supply, creating and maintaining jobs, and red tape reduction while continuing to protect the environment, farmland, and public health and safety?

The Region supports proposed changes that increase the focus on affordable housing options and creates a connection between the PPS and Housing and Homelessness Action Plans.

However, some proposed changes do not achieve the stated objectives to increase housing supply, create and maintain jobs, and reduce red tape.

Addition language is needed for "rental housing"

Proposed changes do not explicitly recognize rental housing. The development of rental housing is critical and policies must promote this directly.

The PPS contains a new term "housing options", which is generally supported by the Region. However, the definition does not include the term "rental". In our view, the definition should include "rental" in order to capture the housing options that will be provided.

Similarly, the PPS should have greater emphasis on purpose-built affordable rental housing, which has a high need in Niagara.

A recent analysis of housing supply and demand in Niagara by the Canadian Centre for Economic Analysis (CANCEA) identified more than 8,500 Niagara households need affordable housing (i.e. that costs no more than \$484 per month for total housing costs).

The Region understands the challenges for private entities to provide housing at an affordable cost level. Therefore, it is crucial for the Province to support the development of non-market rental housing through specific PPS policies to this effect.

Clarification is needed on "market-based need"

The Region requests the Province to clarify roles, responsibilities, and expectations associated to the new term "market-based need".

Draft policies require municipalities to provide housing options and densities to meet projected market-based needs (at s. 1.4.3).

As proposed, the applicable market geography that would be used to determine a market-based need is unclear. In Niagara, there are at least four market geographies that could be used:

- 1. Settlement area market area.
- Local municipal market area.
- Regional market area.
- 4. Provincial market area.

Further, the Region is concerned about the introduction of a market-based approach that may undermine certain planning initiatives that are intended to transition an area to different market conditions.

For example, currently Niagara is predominantly composed of privately owned single-detached dwellings. In absence of a clearly defined "market-based need", the term could be misinterpreted to help justify continuation of single-detached dwelling construction as the only housing option supported by the market.

Municipalities are responsible to define areas that may be suitable for higher densities of housing, consistent with policy, regardless of whether or not the current market

supports that housing form. Long-range planning requires an influence in the market to allow for a desirable outcome in the future.

The Region requests the Province to clarify municipal expectations related to implementing a market-based need approach to development. More specifically, how municipalities can ensure that housing supply is balanced between various housing options and ownership (including rental), and to ensure that planning is based on best practice including fiscally responsible and transit-supportive development beyond what is economically viable in the current market.

Some proposed changes will create red tape

Some proposed changes will not have the desired effect of streamlining development application reviews and approvals.

For example, proposed changes to s. 1.2.2 shifts the Duty to Consult with Indigenous Communities from the Province to applicable Planning Authorities.

This is a significant undertaking for Niagara's Planning Authorities, who may lack funding, resources, knowledge, and legal authority to carry out the Duty. The Duty is better left to the Province since they are the direct representatives of the Crown.

Proposed changes will require consultation during any instance where an archaeological resource is identified. This has the potential to cause significant delays to the review and approval of development applications from both a private and municipal perspective.

Additionally, the Region has concerns with proposed changes in s. 1.2.6 "Land Use Compatibility".

The revisions require an applicant to evaluate all alternative sites for development. This would significantly burden the development application review process from both a private and municipal perspective. The applicant would have to identify and evaluate each site, which would then be subsequently reviewed by municipal staff for completeness or if further work is required.

Better policy is needed for "priority applications"

The Region supports the concept set out in proposed s. 4.7 which requires municipalities increase housing supply by streamlining priority applications

However, the operative part of the policy is too broad: "...priority applications which support housing and job-related growth and development...". This phrase covers practically any type of development application.

The policy should be revised to specifically establish that single- and upper-tier municipalities can identify eligibility requirements for an application to be considered a priority. In Niagara's case, this may include filling a municipally-identified market demand, provide for a variety of housing options, and/or be located within a municipally-identified priority area (i.e. Major Transit Station Area).

The best way to have priority applications move faster would be a new delegated authority to the Chief Planning Official (and their delegates).

A municipal Official Plan could be amended to define what would qualify as a *priority development* and what *type of application* would qualify. For example, a below-market rental development could meet the priority development type requirement and a minor variance application under section 45 of the *Planning Act, 1990* could meet the qualifying application type.

In this case, the application would be processed as a priority application and would *not* proceed to the Committee of Adjustment in the normal course of non-priority applications. Instead, through delegated authority, the Chief Planning Official would approve the application if he or she was satisfied that the required tests under section 45 of the *Planning Act, 1990* were satisfied (which is the same tests that would be considered by the Committee of Adjustment for non-priority applications).

Proceeding this way would save weeks or months for priority applications – an applicant would not need to wait for the Committee of Adjustment schedule.

Notice requirements and appeal rights could remain the same. The applicant and interested parties could appeal to the LPAT in the normal course, if it deems appropriate to do so.

The above process could be accomplished by amending the *Planning Act, 1990* concurrently with updating the PPS.

Question 2

Do the proposed policies strike the right balance? Why or why not?

Municipalities are delegated more responsibility and have less time to consult

The proposed changes are imbalanced and favour private applicants. As proposed, Planning Authorities are delegated more responsibilities in the PPS and have less time to make decisions on certain planning matters (when considering the PPS with recent amendments to the *Planning Act, 1990*).

Further, certain new terms and phrases lack definition which increases the likelihood of interpretation beyond the intended purpose. This could result in private applications undermining existing municipal policy designed to protect the public interest.

Concern over greater infrastructure deficit

The Region does not support proposed changes to s. 1.6.6.5, as added language could permit all rural lots to connect to existing partial services.

The Region is concerned that this change has the potential to significantly undermine infrastructure-related financing projections and growth capacity for settlement areas.

Firstly, Development Charges do not collect for water and wastewater in rural areas because they have not been traditionally serviced.

Secondly, Niagara has a vast rural area, and if services are extended, it has the potential to undermine planned capacity for urban area growth.

Further, Staff are concerned with how this will be implemented in a two-tier water and wastewater system.

For example, if a lower-tier municipality determined that it was logically and financially acceptable, to allow, indiscriminately, owners in the rural area to connect to existing partial services with a statement that there are no negative impacts, the policy would be met regardless of any analysis of the upper-tier system. A conflict arises in those cases where the upper-tier system would be negatively impacted.

Concern with current "market" language

As previously mentioned in Question 1, new policies relating to a market-based need may be interpreted to mean reflective of the current market, such as homeownership over rental, or singles over multiple unit buildings.

The Region is concerned that a market-based need approach could undermine longrange planning work intended to influence the market to meet other desired outcomes, like increased densities and the protection of environmental features.

Question 3

How do these policies take into consideration the views of Ontario communities?

Mineral aggregate expansions should have municipal involvement

The Region recommends s. 2.5.2.4 be revised to clarify that municipalities will be included during any application to expand the area of a mineral aggregate operation.

Proposed changes should specify that the municipal land use approvals process must continue to apply for any new or expanding mineral aggregate operations.

Support for the inclusion of references to "climate change"

The Region supports the addition of the term "impacts of a changing climate".

The Region acknowledges an increase in climate change-related instances across Ontario communities and supports directive to implement best practices that will help municipalities adapt to the impacts of a changing climate.

A "market-based need" may only work in certain municipalities

As proposed, a market-based need approach to offering a variety of housing options will likely only work in municipalities that currently have a diversified housing supply.

As previously mentioned in Question 1, proposed changes fail to specify how a marketbased need will be determined and whether it is based on current or transitioning market conditions.

The Province must provide additional direction on the correct implementation of a market-based need to ensure that new development does not solely reflect the existing composition of housing supply within a municipality.

Add a definition for "rural settlements"

The Region suggests a new definition be included for "rural settlements" that is the same as "rural settlements" in the 2019 Growth Plan.

Inclusion of this term would ensure consistency between Provincial Plans and improve clarity to policies that protect urban and rural views, values, and considerations of Ontario's communities.

Question 4

Are there any other policy changes that are needed to support key priorities for housing, job creation, and streamlining of development approvals?

More changes are needed to speed up the planning process.

The Province should improve its internal review and approval service

The Province must ensure that its internal review and approval services are able to meet the same expectations as municipalities.

Municipalities are required to circulate and consult with a variety of parties depending on the type, scale, and complexity of the planning application. Therefore, the timeliness of the process is largely dependent on the ability for all parties – including provincial ministries and agencies – to complete their review and provide comments back to the municipality within prescribed timelines.

On many occasions, delays have been caused by the Province's inability to meet service delivery expectations. Given proposed PPS changes, and the recent changes

under Bill 108 to reduce municipal review times, it is incumbent on the Province to improve its response time.

The Region recommends adding a new PPS policies that outlines Provincial responsibility and timelines to meet expectations for streamlined service delivery. The policy should recognize all processes that involve Ministries and its agencies, such as those relating to Environmental Compliance Approvals, archaeology clearances, Records of Site Condition, Niagara Escarpment Permits, and Section 26 Approvals.

Province should strengthen its own staffing compliment

The Region recommends the Province strengthen its own ministry and agency resourcing to improve its ability to achieve service delivery expectations.

Currently, one of the largest complaints received from Niagara's development industry involves the time it takes for developers to receive feedback from the Ministry of Natural Resources and Forestry (MNRF) on information requests submitted to local district offices. This becomes especially problematic for the assessment of species that require field work at specific times-of-year.

For example, bats may require acoustic monitoring that can only occur in the month of June. If an applicant submits an information request to the MNRF in April and does not receive a response until July, the bat monitoring cannot be done until the following year. This can have significant implications on development schedules.

The Region recommends that the Province hire topic-specific experts to assist with various planning matters; for example, those that specialize in Environmental Site Assessment applications.

Question 5

Are there other tools that are needed to help implement the proposed policies?

Update the Land Needs Assessment Methodology

The Region understands that revisions to Land Needs Assessment Methodology is under consideration by the Province to align with the revised 2019 *Growth Plan*. If the market-based need policies remain in the PPS, the Methodology should contain direction on how to account for this.

"Duty to Consult" is problematic and requires more guidance

The Region interprets proposed changes as a significant shift in the roles and responsibilities for Planning Authorities when consulting Indigenous Communities.

As discussed in Question 1, policy changes delegate the Duty to Consult from the Province to Planning Authorities. If this is the intent of the change, the Region requests

the Province provide guidance and other tools to support Planning Authorities with undertaking this responsibility, as well as to ensure consistent practice across Ontario.

Additionally, the Province should provide resources and support to Planning Authorities during the transition period where the Duty to Consult has been delegated and guidance materials are being prepared.

Criteria for determining feasibility of rural service connections

The addition of the term "feasibility" to s. 1.6.6 "Sewage, Water and Stormwater" will require its own set of criteria to determine how it will be considered and measured.

The addition of this term places the onus on upper- and lower-tier municipalities to assess and justify whether municipal services can be connected to rural partial services.

The Region requests the Province to clarify who is responsible to determine the feasibility of this servicing connections, as well as establish the criteria that can be evaluated to determine feasibility.

Update the "Natural Heritage Reference Manual"

The Province should update its "Natural Heritage Reference Manual", which has not been revised since the 2005 PPS.

The Manual is a critical tool for the implementation of the PPS policies on natural heritage and water resource, in part.

Finalize "Watershed Planning Guidelines"

To assist with implementing policies within s. 2.2 "Water" of the PPS, the Region recommends the Province to finalize its Watershed Planning Guidelines, which have been in draft form since February 2018.

This guideline is an important tool to ensure proper implementation of best practices and to improve timeliness of planning decisions.

Finalize "Client's Guide to Preliminary Screening for Species at Risk"

The Province should finalize its "Client's Guide to Preliminary Screening for Species at Risk", which remains in draft at time of these comments.

This guidance tool will help clarify the relationship on how environment-related matters should be addressed between the PPS and *Endangered Species Act, 2007*.

Finalize "Agricultural Impact Assessment Guidelines"

The Province should finalize its "Agricultural Impact Assessment Guidelines", which remains in draft at time of these comments.

This guideline will improve the interpretation of policies on matters dealing with competing provincial interests. Particularly, matters relating to adjustments / expansions of settlement areas in s. 1.1.3, or non-agricultural uses in prime agriculture areas in s. 2.3.6.

Modernize the "D-Series" Guidelines

The Province should review and update its D-Series compatibility guidelines to reflect modern technology and practice.

Best practices are continuously evolving and the effect of negative impacts such as odours, noise, lighting, and dust should be considered based on current best practice.

The D-Series guidelines should be modernized to ensure mitigation of negative impacts and reasonable land use separation and transition between uses.

Create "Specialty Crop Area Guidelines"

The definition for "specialty crop area" – which remains unchanged in the draft PPS – mentions that areas are designated using guidelines developed by the Province.

Niagara has a significant portion of land designated as specialty crop area. Presently, there are many instances in Niagara where lands are designated as specialty crop area where, in fact, those lands are unsuitable for any type of agriculture-related use.

The Region requests the Province to create its referenced guideline and review existing specialty crop areas to accurately reflect existing uses through ground-truthed analysis.

Create "Wetland Guidelines"

The Province should create Wetland Guidelines as soon as possible to assist with implementing proposed s. 2.1.10.

These guidelines are required to support natural environment planning currently being undertaken by the Region.

Create "Excess Soil Guidelines"

The Province should create "Excess Soil Guidelines" to provide direction and support implementation of the re-use of excess soil as it relates to new s. 3.2.3.

Consistent use of terminology across Provincial Plans

The Province should ensure that the inclusion of new terms and definitions used in the PPS are amended in other Provincial Plans where the intention is to have the same meaning.

Another area of concern is where certain descriptors are used in one section but not another. For instance, proposed changes to s. 1.7.1 reference a "dynamic market-based need", which is the only time that the word "dynamic" is used before the word "market". This phrase adds an interpretation concern that may lead to perverse interpretations of this policy and others that use the word "market" without the word "dynamic".

Provincial guidelines and tools should be updated every five years

The Province should update its guidance tools every five years to better align with municipal official plan update cycles.

The five year review cycle would offer a consistent timeline to update provincial tools to reflect emerging trends and new best practices.

Municipalities could better rely on these tools for planned updates to its official plan and other policy work if the timing of revised guidelines were transparent.

Conclusion

Additional comments on policy-specific changes to the PPS are provided in the enclosed table.

Please contact myself if you have questions or require additional information.

Respectfully submitted and signed by

Rino Mostacci, MCIP, RPP

Commissioner of Planning and Development Services

Niagara Region

Attachment:

 Comment table: Niagara Region's submission – proposed changes to the Provincial Policy Statement (ERO #019-0279)

PDS 31-2019

Proposed changes to the Provincial Policy Statement Niagara Region's comments to ERO #019-0279 Attachment 2



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Proposed revisions to the Provincial Policy Statement

Niagara Region's comments to ERO #019-0279 Attachment 2



Proposed revisions

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PART I: Preamble

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Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Staff recommend incorporating the key considerations from the Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America directly into Part I: Preamble of the PPS.

PART IV: Vision for Ontario's Land Use Planning System

. . .

Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They also support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development, including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region. Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

Staff supports the notion that the "impacts of climate change" will vary from region to region. The work of municipalities and planning authorities related to mitigation and adaptation would be greatly supported by strong Provincial direction and policy.

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Proposed revisions to the Provincial Policy Statement

Niagara Region's comments to ERO #019-0279 Attachment 2



Proposed revisions

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PART V: Policies

1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1

Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate market-based range and mix of residential types (including second single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

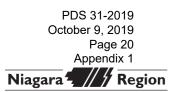
Staff requests that the term "market-based" be defined with criteria to clarify its meaning. The Province should issue guidelines on this matter.

Further, Staff supports the addition of sub-bullet "i)" which includes reference to "regional and local impacts of a changing climate." This is consistent with the vision of efficient development patterns permit better adaptation and response to the impacts of a changing climate, as mentioned in Part IV of the PPS.

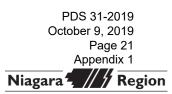
However, Staff observe an inconsistency between the terms "adaptation" and "preparing for" referenced in Part IV and s. 1.1.1.i, respectively.

The interpretation of "preparing for" is different from "adaptation". "Adaptation" can be defined as adapting to changes already occurring (e.g. building flood defenses, etc.), while "preparing for" implies readying for something before it has occurred.

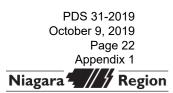
Proposed language in the policy suggests that climate change is imminent and the impacts have not been felt yet. This is not the case in Ontario. In fact, the government's position in the revised *Growth Plan for the Greater Golden Horseshoe*, 2019 that specifically sets out



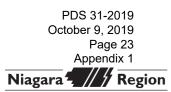
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f) g) h) <u>i)</u>	improving accessibility for persons with disabilities and older persons by identifying, preventing and removingaddressing land use barriers which restrict their full participation in society; ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and promoting development and land use patterns that conserve biodiversity; and consider preparing for the regional and local impacts of a changing climate.	that the impacts of climate change are already being felt (at s.1.1). Staff recommends the following revision to sub-bullet "i)" to clarify that climate change is happening now and actions are being taken to address the impacts: "j) preparing for adapting to the regional and local impacts of a changing climate", which helps to.
1.1.3 Settleme	ent Areas	
a) a) b) c) d) e) f)	 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; 3. minimize negative impacts to air quality and climate change, and promote energy efficiency; 	For the reasons set out in s. 1.1.1 above, Staff recommends revising the language of sub-bullet "d)" from "prepare" to "adapt" in order to recognize change based on current climatic trends: "d) prepare adapt to the impacts of a changing climate;"



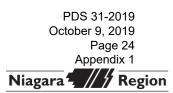
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	the criteria in accommodate	policy 1.1.3.3, where this can ed.	be		
1.1.3.6	should occur adjacent to the existing built-up area and shallshould have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public				es more permissive policy
1.1.3.7	phasing policies to er a) that specified redevelopmer with, new dev areas; and b) the orderly pre designated gr the infrastruct	challshould establish and imposure: targets for intensification and at are achieved prior to, or coelopment within designated gogression of development withouth areas and the timely proure and public service facilities at and projected needs.	I ncurrent growth hin ovision of		more effective in ensuring that sponsible long-term approach
1.1.3.8	the expansion of a set of a comprehensive redemonstrated that: a) sufficient opportion satisfy manintensification areas to accondidentified plants b) the infrastruct planned or av	may identify a settlement area ettlement area boundary only eview and only where it has bortunities forto accommodate set demand are not available, redevelopment and designal mmodate the projected needs ning horizon; ure and public service facilities ailable are suitable for the determ, are financially viable over the designal of the determ.	at the time peen growth and through ated growth sover the growth are evelopment	the recently amended <i>Grow</i> Staff observes that propose will assist municipalities with and process settlement are adjustments outside of a Month of the recently amended <i>Grow</i>	ed language in sub-bullet "e)" h developing criteria to review a boundary expansions and unicipal Comprehensive wever, "complexity" and "scale"



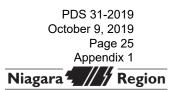
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c)	cycle, and protect public health and safety and the natural environment; in prime agricultural areas: 1. the lands do not comprise specialty crop areas; 2. alternative locations have been evaluated, and i. there are no reasonable alternatives which avoid prime agricultural areas; and ii. there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;	Staff requests clarification of expected to "satisfy market responsible to determine the	demand"; for example, who is
d)	the new or expanding settlement area is in compliance with the minimum distance separation formulae; and		
e)	impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are avoided, and where avoidance is not possible, impacts are minimized and mitigated to the extent feasible in accordance with provincial guidelines. In undertaking a comprehensive review the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a settlement area by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.		
adjust	thstanding policy 1.1.3.8, municipalities may permit tments of settlement area boundaries outside a rehensive review provided:	Staff requests clarification of as mentioned in sub-bullet settlement area, the lowertotal settlement area, or upp	or single-tier municipalities



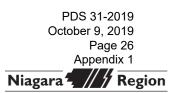
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	 a) there would be no net increase in land within the settlement areas; b) the adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the municipality; c) prime agricultural areas are addressed in accordance with 1.1.3.8 (c), (d) and (e); and d) the settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands. 	settlement area. This clarification is critical to ensure appropriate interpretation and implementation of the PPS and <i>Growth Plan</i> . Further, Staff requests clarification on whether municipal servicing has to exist outside of the settlement area boundary in order to qualify for an expansion, or planned for within a Master Servicing Plan.	
1.2 Coordina	ation		
1.2.1	A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including: a) managing and/or promoting growth and development that is integrated with infrastructure planning; b) economic development strategies; c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources; d) infrastructure, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems; e) ecosystem, shoreline, watershed, and Great Lakes related issues; f) natural and human-made hazards; g) population, housing and employment projections, based on regional market areas; and	Staff recommends that the wording, "energy supply" as mentioned in PPS s. 1.6.11, be added to sub-bullet "d)", as shown below: "d) infrastructure, energy supply, electricity generation facilities and transmission and distribution systems, multimodal transportation systems, public service facilities and waste management systems;"	



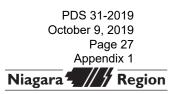
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	h) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement: Service Manager Housing and Homelessness Plans.		
1.2.2	Planning authorities are encouraged to shall engage with Indigenous communities and coordinate on land use planning matters with Aboriginal communities.	Staff disagrees with this proposed change since it is an inappropriate shift of the Duty to Consult with Indigenous Communities from the Province to local municipalities (and other Planning Authorities). Municipalities are creatures of the Province rather than direct representatives of the Crown. Thus, municipalities are third party to the Crown's Duty to Consult and may only be expressly given this authority by the Crown. Should the changes to this policy be implemented, Staff cautions that an engagement program of this type will be a significant undertaking for Niagara's municipalities, who may lack funding, resources, knowledge, and legal authority to meaningfully carry out the Duty. If the Province revises the PPS as proposed, Staff recommend that it prepare a series of guidelines and other tools to support Planning Authorities with undertaking consultation efforts to ensure consistency in practices across Ontario. Additionally, the Province should provide resources and support to municipalities during the transition period where these guidance materials are being prepared.	
1.2.4	Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:	Staff recommend consistent alignment and reference to terms used amongst the PPS and other Provincial Plans	



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	and employmen municipalities. A tier municipalities. A tier municipalitie Provincial Plans provincial guide b) identify areas within all or any including minim expansion of the permitted in acc d) where major tradeveloped, identify tincluding minim expansion of the permitted in acc discount or in proximity to including minim expansion of the permitted in acc e) identify and provincipalities. A tier municipalities or in proximity to including minim expansion of the permitted in acc e) identify and provincial plans and provincial plans are municipalities. A tier municipalities are municipalities. A tier municipalities are municipalities are municipalities. A tier municipalities are municipalities are municipalities. A tier municipalities are municipalities are municipalities are municipalities. A tier municipalities are municipalities are municipalities are municipalities. A tier municipalities are municipalities are municipalities are municipalities are municipalities. A tier municipalities are municipalities. A tier municipalities are m	here growth or development will be ing the identification of nodes and the		I, the terms "Major Transit r Transit" and "Planned consistent manner. As currently corridor" is not defined in any using when considering the
1.2.6 Lai	nd Use Compatibility			
1.2.6.2	1.2.6.1, planning authorand development of seplanned industrial, mar	t possible in accordance with policy rities shall ensure that the planning nsitive land uses adjacent to existing or nufacturing, or other uses that are to encroachment are only permitted if:	vulnerable to encroachment by the types of "other uses"	on the meaning of "particularly t". Additionally, what is meant is unclear. b-bullet "a)" is an unreasonable



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	 a) alternative locations for the proposed sensitive land uses have been evaluated and there are no reasonable alternative locations; and b) potential impacts of these uses are minimized and mitigated in accordance with provincial guidelines, standards and procedures. As proposed, this policy requires an evaluation of al alternative sites for development. This could burden application review processes, inadvertently contradi the Province's objective to streamline development eliminate red tape.		
1.3 Employm	nent		
1.3.2 Er	nployment Areas		
1.3.2.2	At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area. Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas.	Staff recommends that this policy be revised to be more prescriptive to ensure that employment area designations and their planned functions are aligned. Staff propose the following modification: "At the time of the official plan review or update, planning authorities shall should assess employment areas" Staff recognize that not all employment areas are the same. Making the specific distinction that some employment areas are planned for industrial and manufacturing uses is appropriate.	
1.3.2.5	Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a Provincial Plan exercise or as regionally-significant by a regional economic development corporation working together with affected upper- and single- tier municipalities and subject to the following:	Staff recommends the Province clarify the term "regional economic development corporation" to improve overall policy interpretation. Further, depending on who this entity is, it may not be appropriate to delegate the authority to designate "regionally significant employment" area(s).	



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	 a) there is an identified need for the conversion and the land is not required for employment purposes over the long term; b) the proposed uses would not adversely affect the 	
	overall viability of the employment area; and c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.	
1.4 Housing	9	
1.4.3	Planning authorities shall provide for an appropriate range and mix of housing typesoptions and densities to meet projected requirementsmarket-based needs of current and future residents of the regional market area by: a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an uppertier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities; b) permitting and facilitating: 1. all forms of housing options required to meet	 Staff requests the Province to clarify roles, responsibilities, and expectations associated to the newly introduced term "market-based". Further, Staff: requests the Province to establish a guidance document on how the market-based approach is intended to be implemented, and providing direction to municipalities in relation to managing the approach. cautions that shifting to a market-based approach may undermine certain planning initiatives which have the purpose of transitioning areas to improve market conditions in the future.
	the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and 2. all formstypes of residential intensification, including secondadditional residential units,	 cautions that some municipalities may struggle to meet other Provincial policies if their existing housing supply base is pre-dominantly one housing type. requests the Province to revise its Land Needs Assessment Methodology to reflect proposed elements, including "market-based" approach, and

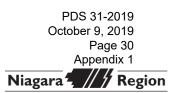
Attachment 2



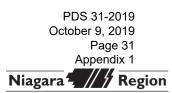
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	1.1.3.3; c) directing the developmen locations where appropria public service facilities are support current and project of promoting densities for new use land, resources, infrate facilities, and support the and transit in areas where developed; e) requiring transit-supportive prioritizing intensification, development, in proximity and stations; and f) e) establishing development intensification, redevelopment which mining the supportion of the state of t	ate levels of infrastructure and e or will be available to cted needs; ew housing which efficiently structure and public service use of active transportation e it exists or is to be e development and including potential air rights to transit, including corridors ent standards for residential ment and new residential mize the cost of housing and thile maintaining appropriate	 requests clarification on private applicant is respected to determine "mar geography used to determine to det	whether the municipality or onsible to undertake a market ket-based need". Further, the rmine a "market-based need" d as to whether this relates to rer-tier market, or other	
	cture and Public Service Facilities				
1.6.1	Infrastructure, electricity generation and distribution systems, and purprovided in a coordinated, an efficient manner that considers prepares for changing climate change while a needs. Planning for infrastructure, electronsmission and distribution systems.	blic service facilities shall be cient and cost-effective or the impacts from of a ccommodating projected icity generation facilities and	change, Staff recommends revised as follows: 'Infrastructure, electricity ge transmission and distribution facilities shall be provided in cost-effective manner that electricity ge transmission and distribution facilities shall be provided in cost-effective manner that electricity ge transmission and distribution facilities shall be provided in cost-effective manner that electricity ge transmission and distribution facilities and distribution facilities are transmission and distribution and distribution are transmission are transmission and distribution are transmission and distribution are transmission are transmission and distribution are transmission are transmission are transmission are transmission are transmission are transmission ar	n systems, and public service a coordinated, an efficient and considers prepares for is a changing climate change	



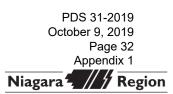
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	lanning <u>and growth i</u> a) financially viat demonstrated and	dinated and integrated with land management so that they are to le over their life cycle, which through asset management projected need to the current and t	: may be blanning;		
1.6.6 Sewa	age, Water and Sto	rmwater			
1.6.6.1 P	a) direct and accordevelopment use and optime 1. municing water is 2. private communication with a communication water is 2. private communication with a communication water is 2. prepar 3. is feas with all lifecycles and user integrate services or distribution water integrate services and optimized water integrate water integrate services and optimized water integrate	and water services shall: commodate expected forecaste at in a manner that promotes ization of existing: coal sewage services and mure services; and communal sewage services unal water services, where me e services and municipal water available or feasible; ese systems are provided in a sustained by the water resources such services rely; es for the impacts of a change ble, and financially viable and regulatory requirements over e; and s human health and safety, a environment; conservation and water use cing and land use considerate clanning process; and	the efficient nicipal and private unicipal er services a manner urces upon ing climate; d complies their and the efficiency;	Separate to climate change adds a new dimension to the service extensions and the services. Specifically, the adplaces the onus on upper-assess and justify whether extended and/or connected	recognize the impacts of sts, thus the addition of climate II intentioned. , Staff notes the term "feasible" e consideration of municipal use of communal and partial ddition of the term "feasible" and lower-tier municipalities to municipal services can be that lacks clarity in application. to establish assessment



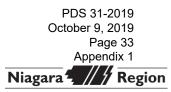
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	through polic For clarity, w municipal wa feasible, plar consider the through polic	ince with the servicing hierarchy out ies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.0 here municipal sewage services and ter services are not available, plann- ning authorities have the ability to use of the servicing options set out ies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provi ified conditions are met.	6.5. d ed or	
1.6.6.3	services are not prov the use of planned or services and private preferred form of ser	vage services and municipal water vided available, municipalities may alfeasible private communal sewage communal water services are the vicing for multi- unit/lot developmenthe environment and minimize potentand safety.	<u>it to</u>	
1.6.6.4	services or private or communal water ser or feasible, individual on-site water services conditions are suitable services with no negonal these individual on-site water services may be rounding out of existe the time of the off authorities should as on-site sewage servicent the environmental services.	vage services and municipal water ommunal sewage services and privaryices are not previdedavailable, pland I on-site sewage services and indiving may be used provided that site alle for the long-term provision of such ative impacts. In settlement areas, the sewage services and individual one only be used for infilling and minor aing development. I cial plan review or update, planning sess the long-term impacts of individual onesite water ser I health and the character of rural mere planning is conducted by an	Also, Staff are concerned with implementing this new section. Staff requests: clarification as to whether municipalities are expect to complete an assessment of all individual on-site sewage systems and on-site water systems. clarification on measuring and determining the imparted on the environmental health without groundwater	a. ted



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	upper-tier municipality, the upper-tier municipality should work with lower- tier municipalities at the time of the official plan review or update to assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural	clarification on the assessment to determine adverse or negative environmental health impacts found in a rural area.	
	settlement areas and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.		
1.6.6.5	Partial services shall only be permitted in the following circumstances: a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Where partial services have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in rural areas in municipalities may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that	Staff notes this new policy would allow all rural lots to connect to existing partial services, which could significantly undermine infrastructure-related financing projections and growth capacity for settlement areas. The Region has several concerns. One is the effect on finances. For instance, Development Charges do not collect for water and wastewater in rural areas because they have not been traditionally serviced. Second, because of the significant rural area in Niagara, if services are extended, it has the potential to undermine planned capacity for urban area growth. Further, Staff are concerned with how this will be implemented in a two-tier water and wastewater system.	
	site conditions are suitable for the long-term provision of such services with no negative impacts. In accordance with subsection (a), the extension of partial services into rural areas is only permitted to address failed individual on-site sewage and individual on-site water services for existing development.	For example, if a lower-tier municipality determined that it was logically and financially acceptable, to allow, indiscriminately, owners in the rural area to connect to existing partial services with a statement that there are no negative impacts, the policy would be met regardless of any analysis of the upper-tier system. Staff are concerned that this policy allows established lots	
		of record to connect to existing partial services even if it is	



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		unable to be determined why the partial service exists (i.e. to address failed on-site water and sewage system or not).		
1.6.6.7	Planning for stormwater management shall: a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term; b) a) minimize, or, where possible, prevent increases in contaminant loads; c) b) minimize erosion and changes in water balance, and erosion prepare for the impacts of a changing climate through the effective management of stormwater; d) e) not increase mitigate risks to human health and, safety and, property damage and the environment; e) maximize the extent and function of vegetative and pervious surfaces; and f) e) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.	Staff observes redundant text in sub-bullet "c)" and suggests the following revision: "c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through effective management of stormwater."		
1.6.8 T	ransportation and Infrastructure Corridors			
1.6.8.5	The co-location of linear infrastructure should be promoted, where appropriate.	Staff supports this proposed policy, as the co-location of infrastructure will assist with minimizing negative impacts to adjacent and nearby parcels.		
1.7 Long-Te	erm Economic Prosperity			
1.7.1	Long-term economic prosperity should be supported by: a) promoting opportunities for economic development and community investment-readiness;	Staff recommends the term "dynamic" be removed from sub-bullet "b)", as this is not defined or used in any other instance:		



Proposed revisions to the Provincial Policy Statement

Niagara Region's comments to ERO #019-0279 Attachment 2



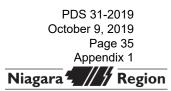
-	d revisions xt = Province removed energy supplysystems and including district energy; k) j)-minimizing negative impactant considering the ecologic	cts from a changing climate	Niagara's comments Text = Province removed Text = Niagara removed	Text = Province added Text = Niagara added	
	nature; and l) k) encouraging efficient and communications and telecoming infrastructure.	coordinated			
1.8 Energy Conservation, Air Quality and Climate Change					
	Planning authorities shall support e	• •	Staff do not support propose	ed revision to replace "climate	

Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for impacts of a changing climate change adaptation through land use and development patterns which:

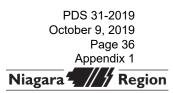
- a) promote compact form and a structure of nodes and corridors:
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travelintensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities:
- e) <u>encourage transit-supportive development and</u> <u>intensification to</u> improve the mix of employment and

Staff do not support proposed revision to replace "climate change adaptation" by "preparing for impacts of a changing climate" for the following reasons:

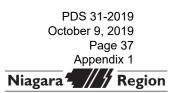
- This change implies climate change has not yet occurred, as we are now 'preparing for' as oppose to 'adapting to' climate change. Existing PPS language is more consistent with the *Growth Plan*, which states under s. 4.2.10.1 "upper/single tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas (GHG) emissions and address climate change adaptation goals".
- Climate change is a recently referenced topic within provincial policy, as introduced within the PPS 2014 and the 2017-coordinated Provincial Plan review. Already, there is a lot of terminology associated to "climate change" (i.e. "adaptation", "mitigation", "resilience") and now, "preparing for". Replacing "climate change adaptation" with "preparing for the impacts of a changing climate" adds more language to an already complex topic and is not consistent with the



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	housing uses to shorten commodecrease transportation conge f) promote design and orientation energy efficiency and conservating effects of vegetation		ortation congestion; and orientation which: maxing and conservation, and consorvation, and consorvation;	mizes siders the	documents. Staff recom	e presented in other provincial amends reference to "adapting aging climate" to create better rovincial Plans.	
	g)	renewabl energy s y	es opportunities for the use of le energy systems and alter ystems; and ation within settlement areas	rnative		ncluding language to recognize cluding a new sub-bullet "h)" and base."	
					.,, [
			t of Resources				
2.1 Natural H							
2.1.10	Municipalities may choose to manage wetlands not sub policy 2.1.4 and 2.1.5, in accordance with guidelines developed by the Province.			Staff supports clarification related to wetlands that are not subject to s. 2.1.4 and s. 2.1.5, as this topic has historically been difficult to interpret.			
					province" be done as soon that these guidelines will be	"guidelines developed by the as possible. Staff emphasize required to support the natural s currently being completed by of ongoing MCR.	
					to the 'Natural Heritage Ref lasted updated for the 2005 important tools for the imple heritage and, to some exter	everal years regarding updates ference Manual' which was PPS. This is one of the most ementation of the natural of the Water Resource policies and that the Province commit to	



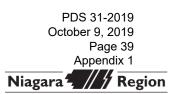
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2.2	Water						
2.2.1		Planning authorities shall protect, improve or restore the quality and quantity of water by: a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development; b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts; c) evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level; d) e) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed; e) e) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas; f) e) implementing necessary restrictions on development and site alteration to: a. protect all municipal drinking water supplies and designated vulnerable areas; and b. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;		to climate change and wate In 2018, the Province releas Watershed Planning as a re for watershed planning in th those guidelines have not ye	sed Draft Guidelines for sult of additional requirements e Provincial Plans. To date, et been finalized. s issue, Staff recommends that ated as soon as possible to		



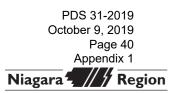
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	 g) †) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; h) g) ensuring consideration of environmental lake capacity, where applicable; and i) h) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces. 		
2.3.3 Pe	ermitted Uses		
2.3.3.3	New land uses, in prime agricultural areas, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.	Staff requests for a similar policy to this one be included in the <i>Growth Plan's</i> "Rural Area" policy section. More specifically, within s. 2.2.9.7 which relates to rural settlement minor rounding out.	
2.3.5 Re	emoval of Land from Prime Agricultural Areas		
Planning authorities may only exclude land from prime agricultural areas for expansions of or identification of settlement areas in accordance with policy 1.1.3.8.		Staff recommends that a reference to proposed s. of the PPS be added to this policy to improve overa interpretation and readability. Currently, s. 1.1.3.8 of the PPS speaks to instances a MCR, whereas newly proposed s. 1.1.3.9 speaks instances outside of a MCR. As proposed, s. 1.1.3. as, "Notwithstanding policy 1.1.3.8" Therefore, PPS s. 2.3.5.1 requires clarification to recognize both applicable policies.	all s during s to



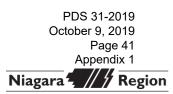
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2.5 Mii	neral Aggregate Resources			
2.5	5.2 Protection of Long-Term Reso	ource Supply		
2.5.2.2	social, economic and enviror Outside of the Greenbelt Are	en in a manner which minimizes nmental impacts. ea, extraction may be considered es listed in section 2.1.5, 2.1.6	Should this proposed change be accepted, Staff recommends the Province undertake an immediate amendment to the <i>Growth Plan</i> . As proposed, this change would create a conflict with s.	
and 2.1.7, provided that the long-term rehabilitation demonstrate no negative impacts on the natural feather ecological functions.		long-term rehabilitation can		vhich prohibits new aggregate
				that a new sub-bullet clause be re impacts" definition in regard ong-term rehabilitation."
2.5.2.4	expansion or continued use	nat would preclude or hinder their or which would be incompatible public safety or environmental regate operations shall be t the need for official plan		hat the depth of a mineral er new or expanded) is under oct, 1990 process and outside
	Planning Act. Where the Aggregate Resources Act applies, processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations or their expansions. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.		However, Staff are concerned mean that any "horizontal" eaggregate operation is outsimunicipal land use process.	ide of the scope of the
	, , , , , , , , , , , , , , , , , , , ,	, , , , , , , , , , , , , , , , , , , ,	Staff strongly recommend the approvals process continue aggregate operations, or for an existing mineral aggregate.	to apply to new mineral any "horizontal" expansions of



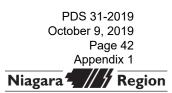
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			Staff propose that added la as follows,	nguage to s. 2.5.2.4 be revised
			"Where mineral aggregate of Resources Act applies, pro-	cesses under the Aggregate
			Resources Act shall address new or existing mineral ago	
			expansions. Municipalities	
			application to extend a min- beyond the existing license	eral aggregate operation
2.6.5	communities and cor	shall <u>engage with Indigenous</u> usider thetheir interests of Aboriginal prvingwhen identifying, protecting and	on consultation requiremen	.2.2, Staff request clarification ts.
	managing cultural he	ritage and archaeological resources.	Staff note that the identifical resources through a develor considered as "identifying, cultural heritage and archae	pment application could be protecting and managing eological resources". This is Communities would have to e instances, potentially
			As proposed, changes to the Province's objective to streat approval processes.	is policy conflict with the amline development review and



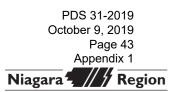
3.0 Protecting Public Health and Safety Preamble (Note: policies in this section related to natural hazards are subject to ongoing review by the Province's Special Advisor on flooding. Further changes may be considered as a result of this review) 3.1 Natural Hazards 3.1.3 Planning authorities shall consider prepare for the potential impacts of a changing climate change that may increase the risk associated with natural hazards. 3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment. 3.2 Implementation and Interpretation 4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which	Proposed revis	ions	Niagara's comments	
Preamble Note: policies in this section related to natural hazards are subject to ongoing review by the Province's Special Advisor on flooding. Further changes may be considered as a result of this review) 3.1 Natural Hazards	Text = Flovince lemoved Text = Flovince added		Text = Province removed	Text = Province added
Reamble (Note: policies in this section related to natural hazards are subject to ongoing review by the Province's Special Advisor on flooding. Further changes may be considered as a result of this review) Staff requests the opportunity to comment on a further changes proposed as a result of the Special Advisor's recommendations.				Text = Niagara added
3.1.3 Planning authorities shall consider prepare for the potential impacts of a changing climate change that may increase the risk associated with natural hazards. 3.2 Human-Made Hazards 3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment. 3.2 Implementation and Interpretation 4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which	Preamble (Note: policies in this section related to natural hazards are subject to ongoing review by the Province's Special Advisor on flooding. Further changes may be considered as a result of		Niagara requests the opportunity to comment on any further changes proposed as a result of the Special Advisor's recommendations.	
impacts of a changing climate change that may increase the risk associated with natural hazards. 3.2 Human-Made Hazards 3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment. 3.2 Implementation and Interpretation 4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which	3.1 Natural H	azards		
 3.2.3 Planning authorities should support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment. 4.0 Implementation and Interpretation 4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which Staff supports the inclusion of additional direction to the re-use of excess soil, and recommend the Fit to finalize guidelines and other tools required for the implementation of this policy. 	3.1.3	impacts of <u>a changing</u> climate change that may increase the	responsibility of single and usersuring floodplain mapping	upper-tier municipalities to g addresses preparation for the
 and local re-use of excess soil through planning and development approvals while protecting human health and the environment. 4.0 Implementation and Interpretation 4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which to the re-use of excess soil, and recommend the F to finalize guidelines and other tools required for the implementation of this policy. 	3.2 Human-N	ade Hazards		
4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which	3.2.3	and local re-use of excess soil through planning and development approvals while protecting human health and the		and recommend the Province her tools required for the
4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which	4.0 Impleme	entation and Interpretation		
development; and b) reducing the time needed to process residential and priority applications to the extent practical. Should the term "priority applications" be retained	•	Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by: a) identifying and fast-tracking priority applications which support housing and job-related growth and development; and b) reducing the time needed to process residential and	term "priority applications". priority residential application and provide housing options priority applications may occarried the priority applications and priority applications.	The definition could include ons that fill a market demand s, or identify areas where cur (i.e. Major Transit Station



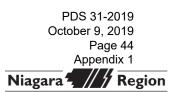
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			problematic and complex in a politically-se environment.	nsitive
			Regional processes are regularly reviewed timeliness. Further, prescribed planning managed have also been shortened by enacted ame <i>Planning Act, 1990</i> through Bill 108. Given planning review structure after Bill 108, the having difficulty conceptualizing the mechantrack applications that are deemed priority.	atter timelines endments to the the current Region is anism to fast-
			Staff recommends simplifying the policy as	s follows:
			"Planning authorities shall take action to such ousing supply and facilitate a timely and supprocess for local development. a) identifying and fast-tracking priority which support housing and job-related development; and b) reducing the time needed to process	applications ted growth and
			and priority applications to the exte	nt practical."
4. 15 9	indicators to monitor and policies in their official p	uraged to establish performance described report on the implementation of the lans, in accordance with any reporting dards and any other guidelines that inister.	Staff requests to be notified and consulted initiatives undertaken by the Province whe reporting requirements, data standards, an guidelines.	n developing
6.0 Definition	ons			
Agricultural System		a group of inter-connected elements viable, thriving agricultural sector. It	Staff supports this change, as the definition Growth Plan and Greenbelt Plan.	n aligns with the



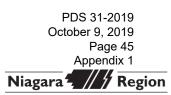
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	 a) an agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; and b) an agri-food network which includes infrastructure, services, and assets important to the viability of the agri-food sector. 	<u>i</u>
Agri-food network	Within the Agricultural System, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; onfarm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.	Staff supports this change, as the definition aligns with the Growth Plan and Greenbelt Plan.
Areas of archaeological potential	Means areas with the likelihood to contain archaeological resources. MethodsCriteria to identify archaeological potentia are established by the Province, but municipal approaches which achieve the same objectives may also be used. The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist through archaeologica assessment and/or fieldwork.	" The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist through archaeological assessment, Archaeological
Built heritage resource	Means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal Indigenous community. Most built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or has been included on local, provincial, federal and/or federal international registers.	



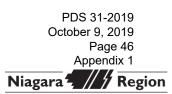
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Comprehensive review	Means a) for the purposes of policies 1.1.3.8, 1.1.3.9 and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which	Staff requests consistent use and reference to the term "Municipal Comprehensive Review" within all Provincial Plans.		
Conserved	Means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved or adopted by the planning authority or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.	Staff recommends the <i>Growth Plan's</i> "conserved" definition also be amended to reflect this change.		
Cultural heritage landscape	Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal Indigenous community. The area may involve include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage	Staff recommends the <i>Growth Plan's</i> "cultural heritage landscape" definition also be amended to reflect this change.		



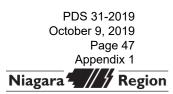
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	significance; and areas recognized by, or have been incluon federal and/or international designation authorities (e.g. National Historic Site or District designation, or a UNESCO World Heritage Site)registers, or protected through official plan, zoning by-law, or other land use planning mechanism	g. a O <u>I</u> <u>ms.</u> ;
Habitat	Of endangered species and threatened species: means habitat within the meaning of Section 2 of the Endangered Species Act, 2007 a) with respect to a species listed on the Species at Fin Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a is in force, the area prescribed by that regulation as the habitat of the species; or b) with respect to any other species listed on the Species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rear hibernation, migration or feeding, as approved by Ontario Ministry of Natural Resources; and c) places in the areas described in clause (a) or (b), whichever is applicable, that are used by members the species as dens, nests, hibernacula or other residences.	Staff notes that the Ministry of Environment, Conservation and Parks, Species at Risk Branch, has drafted a "Client's Guide to Preliminary Screening for Species at Risk" (Draft, May 2019) which remains in draft at time of these comments. Scies and Fing, the
Housing options	Means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses stacked townhouses, multiplexes, additional residential untiny homes, multi-residential buildings and uses such as, not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, affordable houses.	mentioned in this definition in order to reflect market- demand and housing options. but o- Additionally, Staff requests clarification as to whether



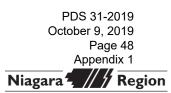
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	housing for people with special needs, and housing related			
	employment, institutional or educational uses.	1990.		
Impacts of a	means the potential for present and future consequences a	and Staff supports the inclusion of a climate change definition,		
changing	opportunities from changes in weather patterns at local and			
climate	regional levels including extreme weather events and	attempting to define two large topics, "climate change" and		
	increased climate variability.	the impacts of a "changing climate".		
		As proposed, this definition does not address:		
		the global responsibility of climate change;		
		the recognition that human activity is largely responsible for climate change; and		
		 natural disasters and rising temperatures as part of resulting changes. 		
		Staff recommends adding two separate definitions - one defining climate change and one defining the impacts associated with that change.		
		Staff proposes the following new definition for Climate Change consistent with the accepted international standard set out by the UN Framework on Climate Change:		
		"Climate change: a change in climate that alters the composition of the global atmosphere and natural climate variability observed over time due directly or indirectly by human activity"		



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					one that refers to the impact follows: "Impacts of a changing climpresent and future consequence of the impact follows:	ate: means potential for the ences and opportunities from patterns at local and regional ather events, rising
Negative	Means				Staff recommends that the	definition for "negative impact"
impacts	a) i	human health and quality and quantit features and sensi related hydrologic successive develo assessed through hydrogeological or in accordance with in regard to policy quantity of water, sensitive ground whydrologic function successive develo in regard to fish had or destruction of fisconjunction with the been authorized unin regard to other regardation that the	1.6.6.4 and 1.6.6.5, posafety and degradation y of water, sensitive softive ground water feat functions, due to single pment. Negative impact an environmental studies water quality impact an provincial standards; 2.2, degradation to the sensitive surface water features, and the pment or site alteration abitat, any permanent is habitat, except when appropriate authority ander the Fisheries Activated in the provincial features and the provincial standards and the provincial standards and the provincial standards and the provincial standards are appropriate authority and the provincial standards are appropriated at the provinci	on to the urface water tures, and their le, multiple or acts should be sincluding assessments, e quality and or features and oir related iple or activities; alteration to, ere, in ties, it has and areas, and integrity of	be revised to include the "lo mineral aggregate resource mentioned in PPS s. 2.5.2.2	ng-term rehabilitation" of extraction areas, as



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	an area is identified	Text = Niagara removed	Text = Niagara added		
		nent or site alteration activities.			
On-farm diversified uses	use of the property, and are diversified uses include, but occupations, home industrie that produce value-added a mounted solar facilities are		Staff note that if this term is included within the "on-far diversified uses" definition, the use may be counted towards the 2% of all permitted on-farm diversified use as per Provincial Publication #851.		
Planned corridors	projected needs, and are idepreferred alignment(s) determined alignment(s) determined and seems and seems are the Ontario Montario Minies or Independent for any successor to those more pursuing the identification of	Ministry of Transportation, of Energy, Northern Development Electricity System Operator (IESO) ninistries or entities is actively of a corridor. Approaches for the ors may be recommended in	Staff recommends the <i>Grow</i> definition also be amended		
Public service facilities	programs and services prov government or other body, s recreation, police and fire pro-	such as social assistance, rotection, health and educational ervices, and cultural services.	Staff recommends the <i>Grow</i> facility" definition also be an	oth Plan's "public service nended to reflect this change.	
Threatened species		ed or categorized <u>classified</u> as a e Ontario Ministry of Natural	Staff requests the Province comply with the new Endang	to finalize guidance on how to gered Species Act, 2007.	



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	Resources' official Spec and amended from time	cies at Risk <u>in Ontario</u> List, as updated e to time.	Staff notes that the Ministry and Parks, Species at Risk	of Environment, Conservation Branch, has drafted a "Client's ning for Species at Risk" (Draft, n draft at time of these
Transit- supportive	makes transit viable, opinfrastructure, and imprusing transit. It often ref development that has a residential densities, incorproximity to transit staticelements within the transit per recommended in gui	tterns, means development that timizes investments in transit oves the quality of the experience of ters to compact, mixed-use high level of employment and cluding air rights development, in ons, corridors and associated asportation system. Approaches may delines developed by the Province or proaches that achieve the same	Staff recommend that the G supportive" definition also b change.	