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DATE: August 5, 2010

REPORT TITLE: **REVIEW OF THE PROVINCIAL POLICY STATEMENT 2005**

FROM: Norma Trim, Chief Financial Officer and Commissioner of Corporate Services

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### RECOMMENDATION

That a copy of the report of the Chief Financial Officer and Commissioner of Corporate Services dated August 5, 2010 titled, "Review of the Provincial Policy Statement (PPS) 2005" be sent to the Ministry of Municipal Affairs and Housing for their information and action, and in response to their posting of the PPS Review on the Environmental Bill of Rights (EBR) Registry";

And further, that the subject report be forwarded to all the Greater Toronto Area (GTA) municipalities including the Cities of Mississauga and Brampton, Town of Caledon, as well as the Credit Valley Conservation (CVC), Toronto and Region Conservation Authority (TRCA), and Halton Region Conservation (HRC) for their information.

### REPORT HIGHLIGHTS

- The Ministry of Municipal Affairs and Housing has initiated a five year review of the PPS 2005.
- Regional staff review of the PPS has identified several key policy gaps in the PPS related to public health, agriculture, sustainability and climate change and other areas where policy refinement is needed for clarification of provincial policy direction.
- Endorsement of the comments provides Regional Council with an opportunity to advocate for policy development, refinement and clarification.

### DISCUSSION

#### 1. Background

The purpose of this report is to inform Regional Council that the Province has initiated a review of the Provincial Policy Statement (PPS), 2005, and to request Council's endorsement of Regional staff comments as the Region's response to the Province.

The PPS is a key component of Ontario's planning system as it sets out the Province's policy direction on matters of "provincial interest" related to land use planning. It establishes a vision for planning that includes a healthy environment, strong economy and liveable communities. All planning decisions, applications, matters or proceedings under the

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*Planning Act* that commenced on or after March 1, 2005 are required to "be consistent" with the PPS. The PPS is being reviewed in accordance with Section 3 (10) of the *Planning Act* which requires a review every five years to determine the need for revisions. The Ministry of Municipal Affairs and Housing has posted the PPS to the Environmental Bill of Rights (EBR) Registry for comment with responses due by October 29, 2010.

The PPS includes three major policy areas:

### a) **Building Strong Communities**

Policies in the PPS provide direction to manage growth and build strong communities through, for example:

- the efficient use of land
- the coordination of planning across boundaries
- the protection of employment lands
- the provision of housing, a range of housing types and affordable housing
- integration of transportation and land use.

### b) **Wise Use and Management of Resources**

The environmental, economic and social well-being of the Province is dependent on the wise use and management of resources. Accordingly, the PPS has set out policy for:

- the long term protection and enhancement of natural heritage systems and features
- the protection, improvement and restoration of water resources
- the protection of prime agricultural areas and the promotion of a viable agricultural economy
- protection and utilization of mineral aggregate resource areas.

### c) **Protecting Public Health and Safety**

The PPS policy direction for public health and safety recognizes the importance of reducing the potential for public cost or risk to residents from natural and human-made hazards through:

- natural hazards planning that directs development away from hazard-prone areas
- avoidance, mitigation or rehabilitation of human-made hazards (e.g. abandoned oil and gas wells, contaminated sites).

Additional information on the PPS review is available from the Ministry's website at [www.ontario.ca/pps](http://www.ontario.ca/pps).

## 2. **Staff Response**

A significant focus of the Peel Region Official Plan Review (PROPR) was to ensure that the Region of Peel Official Plan (ROP) is consistent with policy direction in the PPS in accordance with provincial legislation.

Through PROPR, Regional staff consulted broadly with the area municipalities, agencies, stakeholders, and the general public on a number of provincial policy initiatives, including the Growth Plan for the Greater Golden Horseshoe and the requirement for the ROP to be consistent with the PPS. Considerable stakeholder and public comment was collected through this process. Regional staff has utilized the information to develop Regional responses to the Province on the PPS.

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Regional staff has also coordinated the development of the Region's comments through the Regional Planning Commissioners of Ontario and with area municipal staff through the Planning Technical Advisory Committee (TAC) and Transportation Planning Working Group (TPWG), and completed additional consultation with the Peel Federation of Agriculture and the GTA Agricultural Advisory Committee to clarify Regional policy needs with respect to agriculture.

Existing policy areas in the PPS needing improvement, clarification or refinement; new policy areas that require provincial direction; and the need for additional support material to help implement policies have been identified as current gaps. Detailed comments for endorsement by Regional Council are attached as Appendix I and highlights of key policy areas needing improvement are outlined below. These include common themes throughout the PPS that require strengthening and/or clarification and new policies that are currently not present in the provincial policy framework.

**a) Strengthen Vision and Policies to Embrace Sustainability**

While the vision references sustainability and planning for economic prosperity, environmental health and social well-being, it does not fully integrate the concept as an organizing direction/theme for the Province's land use planning system. This should include the fourth sustainability imperative of "culture" as a planning consideration, clearer references to sustainability and sustainable development within the vision, and definitions to support the planning direction. Revisions to address sustainability are consistent with work municipalities are already doing and would be consistent with work the Region of Peel completed to integrate sustainability as an overarching theme in the ROP through PROPR and Regional Official Plan Amendment (ROPA) 20.

**b) Climate Change**

Climate change has emerged as a public policy concern for government and business at all levels and has led to the call for new policy, practices, and tools for the design and planning of communities. The Region is developing actions through the Peel Climate Change Strategy to address the challenges and long term consequences of a changing climate within Peel. The strategy is consistent with other jurisdictions and will identify internal and external actions to address both climate change adaptation and mitigation. At the provincial level, the Province has released the GO Green Plan to address province-wide directions for mitigating greenhouse gas emissions and will be developing future policy direction for climate change adaptation. It is recommended that the Province also reflect public policy direction on climate change in the PPS including adding definitions, policy direction to mitigate greenhouse gas emissions, and policies for adapting communities to the impacts of climate change.

**c) Integrate Public Health throughout the PPS**

The Region of Peel has been actively promoting the issue of healthy built environments since 2005, when Peel Public Health and Planning presented a joint report to Regional Council entitled *Overweight, Obesity and Related Health Consequences in Adults*. The report highlighted the impact of the built environment on population health. As a result, Regional Council directed Peel Public Health to work with Regional and municipal planning departments to promote healthier land use development patterns.

It is increasingly understood that characteristics of living, working and recreational environments affect lifestyle behaviours and health outcomes through various pathways. Risk factors and outcomes that are mediated by the built environment include, but are not limited to: obesity, cardiovascular disease, diabetes, some cancers, asthma, injury, depression, violence, and social isolation.

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One association that is of particular concern in Peel is the relationship between land use patterns and active transportation. It has been documented in the scientific literature that neighbourhoods without a supportive environment for walking and cycling will have relatively low rates of active transportation and high rates of car dependence. This promotes higher levels of obesity and poor air quality, which are risk factors for a range of negative health outcomes.

Another issue of concern for Peel is poor air quality which is a significant issue that can negatively affect human health, the environment and economy. Urban form or the shape that our communities take can have a significant effect on air quality. Urban sprawl, a form of development found in Peel Region, is characterized by low density, separated land uses and poor connectivity between the different land uses. These characteristics contribute to an increased reliance on the private automobile and in turn, increased levels of air pollution. Building design can also lead to increased levels of air pollution as inefficient buildings use more energy.

While the current PPS makes reference to public health, the section focuses upon the avoidance of hazards, both natural and man-made. In order to help municipalities address the built environment as a determinant of health, the Province must recognize the more subtle, latent health impacts of built environment characteristics, and broaden the definition of public health hazards beyond acute risks. The principles derived from this broader definition should permeate the PPS in all relevant sections, such as in policies relating to public spaces, public services, employment areas and the transportation system. It is recommended that policies in these sections be added or adapted to ensure that residents are able to access services and amenities for daily needs via alternative modes of transportation. Adding policies to mitigate the harmful effects of air emissions and potential hazards associated with climate change are also recommended for relevant sections of the PPS.

As Ontarians face increasing rates of obesity and related chronic diseases, the Region urges the Province to identify health as a major underlying theme of the PPS, influencing how future communities are planned and developed. By incorporating the attached recommendations into the PPS, the province will demonstrate leadership and assist municipal and regional staff across the province in creating health promoting and protective communities.

**d) Consistency Between the PPS and the Growth Plan**

The Province introduced new planning concepts, policies and definitions through several provincial initiatives, including the Growth Plan, since the last update of the PPS. The review of the PPS should consider that municipal official plans in the Greater Golden Horseshoe need to conform with the Growth Plan and be consistent with the PPS. In several instances, policy direction and/or guidance between these policy documents is not consistent or sufficiently coordinated. Several definitions, methodologies (e.g. calculating employment land needs) as well as some policies related to managing growth are examples where both the PPS and Growth Plan, and their associated guidance documents, should be reviewed for consistency where this makes sense.

It is also important to emphasize that the 20 year planning horizon in the PPS for land supply is not sufficient when planning for strategic long-term infrastructure needs such as water, wastewater, transportation and utility corridors. Although a 20 year time horizon for the planning of land supply may be appropriate, the PPS should recognize

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that infrastructure planning may benefit from 'life-cycle' considerations and other factors that exceed 20 years. These point to the need to better coordinate land use planning, transportation planning and environmental assessment (EA) approvals to ensure corridor identification and protection in municipal official plans are not delayed by lengthy EA study processes.

### **e) Transportation**

The Region's transportation policies are intended to foster increased sustainability of the transportation system in Peel by promoting the integration of transportation and land use, minimizing the environmental and health impacts of transportation, maximizing the use of existing transportation infrastructure, considering all modes of transportation and promoting the efficient movement of people and goods with a focus on moving people by modes other than single occupant vehicles. The Region's Official Plan policies have responded to the vision and policies contained in the PPS; however, some policy gaps still exist.

Sustainability is a significant focus of the Region's Official Plan policies and provincial policies alike; however, active transportation is not explicitly addressed in the PPS. Also, although accessible transportation may be addressed through other legislation, it warrants being addressed in the PPS also.

Several months ago, the Province began consultations regarding content for a Transportation Planning Policy Statement (TPPS). Regional staff did provide initial comments on the preferred scope of this document, but have not been further contacted regarding its development. The role of the PPS, especially in relation to the forthcoming Transportation Planning Policy Statement (TPPS), needs to be clarified with a focus on integration.

### **f) Housing**

Housing policies in the PPS focus on providing a range of housing types and densities. Staff is supportive of the PPS policy direction and has included them in ROPA 23 of PROPR. Further clarification and guidance from the PPS would assist in implementing several policies from ROPA 23.

The Region has established minimum targets for the provision of housing for low and moderate income households through ROPA 23. To implement and achieve the housing targets, the Province needs to provide, through its upcoming Long Term Affordable Housing Strategy and revisions to the PPS, appropriate regulatory authority, guidance and funding.

Further guidance on the location of housing to support mixed-use development would be helpful.

### **g) Agriculture**

Changes to address policy gaps for agriculture are being identified as a key theme and deficiency for the provincial review. In addition to protecting prime agricultural areas, the Province should consider promoting economic development and diversification as a policy direction. Definitions, guidance and policies to encourage economic development and on-farm diversification through value-added uses and agri-tourism uses should be provided. Guidance with respect to the types of uses, product sources, scale, and compatibility should be developed to support the policy direction.

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Provincial policy direction should also be expanded to promote regional food systems planning, as a rural planning approach, including coordination of land use policy, economic development, marketing, innovation, technology, and capacity building that is focused to a specific regional market or geographic area. Formal policy direction would support and acknowledge the work of the GTA Agricultural Advisory Committee and regional food systems planning initiatives that the Committee has completed or is undertaking.

There is a further need to provide guidelines and best practices to mitigate impacts to agricultural operations that are adjacent to urban and non-farm land uses. The current policies rely on minimum distance separation formulae that have limited scope and focus on protecting livestock facilities from incompatible land uses. Additional land use, site design and landscaping guidance for urban and non-farm uses is recommended.

The current policy direction for existing agricultural uses in natural heritage features was identified as a key concern by the PFA during the Natural Heritage Policy Review component of PROPR. Additional provincial policy and guidance is recommended to define "existing" agriculture, and to clarify permissions for existing uses to continue; existing buildings and structures to expand; and new accessory buildings and structures to be established. Policy direction should include options for municipalities to implement a simplified process for approvals and not necessarily introduce additional *Planning Act* approval requirements when impacts can be minimized or avoided through existing tools of other agencies (e.g. Niagara Escarpment Commission development permits).

Finally, there is also a need for provincial leadership to research, develop and promote incentive programs for farmers and rural land owners so that policy and program tools for agriculture and natural heritage are comprehensive and not solely reliant on land use regulation. Successful programs and pilot projects such as Norfolk County's Alternative Land Use Services program suggest achievement of natural heritage goals can be accomplished through a broader range of policy tools.

**h) Summary**

The PPS establishes a provincial policy led framework to achieve the Province's vision for land use planning. The policy framework has been effective; however, policy needs continue to change and evolve. Regional staff has identified key areas where policy development, refinement, clarification and guidance should be considered by the Province.

**CONCLUSION**

The formal five year review of the PPS is an opportunity for municipalities to advise the Province on policy improvements related to regional and local planning issues that are not adequately addressed in the existing policy framework. It is an opportunity for Regional Council to advocate for policy development, refinement and clarification. This first round of consultation will enable the Province to determine if there is a need to revise policies in the PPS and additional consultation opportunities will be provided should the Province move forward with recommended revisions to the PPS.

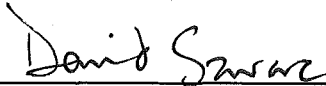
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**Approved for Submission:**



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