

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: December 4, 2012	
SUBJECT/REPORT NO: Draft Provincial Policy Statement Review 2012 - City of Hamilton Comments (PED12235) (City Wide)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Christine Newbold (905) 546-2424 Ext. 1279 Joanne Hickey-Evans (905) 546-2424 Ext. 1282
SIGNATURE:	

RECOMMENDATION:

- (a) That City Council inform Ministry of Municipal Affairs and Housing that it supports the draft revisions to the Provincial Policy Statement (PPS), dated September 2012, in principle, and recommends the following action and changes identified in Appendix "A" of Report PED12235:
- (i) To hold the proposed changes to Section 2.5 - Mineral Aggregate Resources of the draft PPS in abeyance, and to combine the PPS Policy review with the ongoing Aggregate Resources Act (ARA) review;
 - (ii) To modify policies and definitions for the purposes of clarification;
 - (iii) To add new policies, terms, and definitions to strengthen policies;
 - (iv) To delete policies that weaken or that may impact the City in a negative way;

- (b) That City Council request the Ministry of Municipal Affairs and Housing to amend the PPS to allow the Committee of Adjustment to impose conditions of approval on consents (severances) to ensure farm consolidation occurs in cases where residences become surplus to a farming operation;
- (c) That the City Clerk be requested to forward the recommendations and this staff Report to the Ministry of Municipal Affairs and Housing, Provincial Planning Policy Branch.

EXECUTIVE SUMMARY

The Provincial Policy Statement (PPS) is the statement of the Province's policies concerning land use planning and development. It provides policy direction on matters of provincial interest, as expressed in the Planning Act, such as building strong communities, the wise use and management of resources, and protecting public health and safety.

Implementation of the PPS is set out through the Planning Act, requiring decisions on land use planning matters made by municipalities, the Province, the Ontario Municipal Board, and other decision-makers to be "consistent with" the PPS. Municipalities are the prime implementers of the PPS through policies in their Municipal Official Plans, and through decisions on other planning matters.

The Planning Act requires the PPS to be reviewed every five years from the date that the PPS came into effect, to determine whether revisions are needed. This draft PPS, released September 25, 2012, is the product of the Province's review.

The draft shows many improvements to the 2005 PPS. Favourable changes include:

- Greater clarity on how the PPS is to be read and interpreted;
- Flexibility for long range planning for transportation and public service facility infrastructure;
- Some clarity on servicing policies in rural areas;
- Recognition of the importance of active transportation; and,
- Inclusion of language on climate change and green energy.

Changes that may be problematic include, generally:

- Lack of clarity in some definitions and in new terms;
- Undefined terms;
- Failure to make changes in certain policies;
- Policy direction in specific areas such as mineral aggregate resources; and,
- Farm consolidation issues.

Following the PPS review, the Province will be undertaking review of the Niagara Escarpment Plan (2005), the Greenbelt Plan (2005), and the Growth Plan for the Greater Golden Horseshoe (2006).

Alternatives for Consideration - See Page 11.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: None.

Staffing: None.

Legal: The Planning Act provides the legislative authority for land use planning in municipalities in Ontario. The PPS and other Provincial plans and policies (such as the Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan) provide the details of how Provincial interests specified under the Planning Act are to be regarded.

Municipal planning documents adopted under the Planning Act (such as Official Plans, Secondary Plans, Zoning By-laws) must have regard for matters of Provincial interest, and decisions on planning matters must be consistent with the Provincial Policy Statement.

HISTORICAL BACKGROUND (Chronology of events)

1. **PPS Review:**

The PPS is an important document for land use planning. The PPS underpins all Provincial and local land use planning activities and decisions. Local planning must be consistent with the Provincial directions specified in the PPS. Provincial policy supports, as well as directs, the City's local planning directions and efforts in achieving a strong, healthy, prosperous, and diverse City.

The current Provincial Policy Statement came into effect on March 1, 2005. Sub-section 3(10) of the Planning Act states that the PPS must be reviewed every five years from the date the PPS came into effect, to determine whether revisions are needed.

The Province initiated a review of the 2005 PPS in March, 2010. City staff attended workshops and provided comments in the Fall of 2010, in response to the Province's request for comments.

City of Hamilton staff, through its membership in the Regional Planning Commissioners of Ontario working group (RPCO), provided input and discussion on PPS for the Province.

On September 25, 2012, the Province released a draft of the proposed revisions to the PPS for comment. The draft is posted on the Environmental Project Registry, with a review period that closes on November 23, 2012.

2. Outstanding Planning Committee Direction:

On June 13, 2012, Council approved Planning Committee Report 12-009, as follows:

- “(a) That staff be directed to consult with the agricultural community, the Open for Business Committee, and Planning Committee members to identify appropriate amendments to the Provincial policy respecting farm severances;
- (b) That the proposed changes be considered and then adopted by the Planning Committee and Council;
- (c) That the position be then forwarded to the Association of Municipalities of Ontario, Federation of Canadian Municipalities, and Provincial Government MPs and MPPs.”

The PPS review is the only opportunity Council will have, prior to the Greenbelt Plan 2015 review, to address Planning Committee's concern regarding this issue.

POLICY IMPLICATIONS

Municipal planning documents and decisions must be consistent with the PPS. Consistency is achieved by regular review and amendment to the Official Plan and Zoning Bylaws. The policies of the PPS may also impact other current and future City programs and policies that assist in the implementation of PPS policies.

RELEVANT CONSULTATION

The following Departments and Sections provided input into the preparation of these comments:

- Planning and Economic Development Department:
 - Development Planning
 - Community Planning
 - Economic Development

- Community Services Department:
 - Housing Division
 - Social Development and Early Childhood Services Division

- Public Works Department:
 - Mobility Programs and Special Projects Division
 - Operations and Waste Management Division

- Public Health Services Department:
 - Healthy Living Division
 - Health Protection Division

- City Manager's Office:
 - Sustainability Coordinator

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

1. PPS Review:

This section of the Report contains general summary comments on staff's review of the draft PPS, as well as more explanation on aggregate resources, an area of particular concern. Appendix "A" to this Report contains the full listing of staff's comments on all sections of the PPS.

General Comments:

There are many proposed changes to the PPS that provide improved clarity as it relates to the interpretation of the policies within the PPS. Significant attention has been paid to describing how the policies are to be interpreted, the geographic scale of the policies, and that the policies represent minimum standards. Great detail has been provided with respect to the policy language and the intent of specific

terminology. Some new policy directions or enhancements of existing directions are included.

Coordination:

The PPS promotes a coordinated approach to planning across municipal boundaries and between levels of government, agencies, and boards. New additions to these policies recognize the need that economic development activities, multi-modal transportation systems, and housing strategies also need to be coordinated.

Air Quality and Climate Change:

The PPS is moving in the right direction in attempting to address air quality and climate change issues, as they can be impacted by land use planning outcomes. The draft PPS now promotes green infrastructure, as well as renewable energy systems. Some additional clarification on the new terms is needed to ensure appropriate interpretation.

Active Transportation:

New policies recognize the importance of active transportation in building strong and healthy communities, and support our directions to enhance active transportation throughout the municipality.

Waste Management:

Additional language recognizes that land use patterns affect waste generation, management, and diversion. Further improvements to the PPS can be made by recognizing the waste collection system as a component of the waste management system.

Long Term Economic Prosperity:

The draft PPS policies expand the understanding of the link between land use planning and long term economic prosperity through additional policies on promoting opportunities for economic development, supporting goods movement, the need to support local food production, agri-food and agri-product businesses, the role of community character and cultural planning and preservation of cultural heritage resources, and promoting energy conservation, among others.

Natural Heritage:

A new direction in the PPS is the requirement for the identification of a Natural Heritage System. The inclusion of this policy strengthens the movement of restoration and overall protection of the natural environment. The policy also provides further recognition in the movement from a features-based approach to a systems-based approach in the protection of natural heritage features and their functions. This direction is already a central element of the City's new Rural and Urban Official Plans.

The draft PPS adds helpful clarifications and refinements to the sewage and water policies as they apply to the rural area. Changes follow Provincial legislative changes (i.e. Clean Water Act, sourcewater planning), as well as City policy. The addition of stormwater management policies in the PPS is appropriate and helpful.

Cultural Heritage:

Policies have been added or amended, which make the section unclear and confusing. It would appear that the protection of all cultural heritage features can now only be accomplished through designation of features under the Ontario Heritage Act, and a municipality's ability to protect non-designated resources appears to have been greatly diminished. Staff requires clarification from the Province on these policies.

Rural Areas in Municipalities:

New language is added that emphasizes the importance of rural areas to the economic success and quality of life in the Province. The new language recognizes the need to protect and promote agricultural and agriculture-related uses, including normal farm practices.

Agriculture:

Some changes to the uses permitted as agriculture, or related to agriculture, respond to common concerns that important aspects of the business of agriculture are not currently permitted, such as agri-tourism. The changes broaden the uses permitted. Overall, these changes are positive, but the lack of clarity of some new terms is of concern to staff. Also, a retreat in the policies from language on the scale of operations is problematic when applied to agriculture-related uses. The balancing of sometimes conflicting goals of protection of agricultural land and promotion of all aspects of the business of agriculture continues to be difficult.

Aggregate Resources:

The most significant concern is with the proposed policies of Section 2.5 - Aggregate Resources, which warrant a more detailed discussion, and direction from Council.

To operate a mineral aggregate operation in the Province of Ontario, the mineral aggregate operation has to be designated in the Official Plan and zoned for the appropriate use. The PPS and the Greenbelt Plan provide Provincial policy direction for municipalities to provide for the long term protection of the resource, as well as the extraction of stone, sand, and gravel. The operator must also apply for and receive a licence for the operation, as prescribed in the Aggregate Resources Act (ARA).

In 2011, the Province initiated the process to review the Aggregate Resources Act (ARA). Since there is an overlap of issues (e.g. siting of operations, protection of resource, rehabilitation) between the PPS and ARA review, it would be more appropriate to review the PPS changes in conjunction with the review of the ARA.

In the alternative, should the Province proceed with the review of this Section with the remainder of the PPS, the following issues need to be addressed:

1. The desire to have the resource as close to the market as possible must be balanced with the impacts of extraction on the environment and populated areas. In addition, many municipalities require other land uses (e.g. Commercial) to provide a need and impact assessments. Therefore, the policy that requires the resource to be close to local markets, and the policy that dismisses the need for demand and supply analysis, should be deleted.
2. Extraction and rehabilitation plans should address economic impacts. There are long term costs to municipalities with respect to impact on haul routes, as well as long term costs associated with extraction and rehabilitation that requires perpetual pumping of the groundwater.
3. The PPS has addressed the notion that mineral aggregate extraction, although interim in nature, has long term impacts even though rehabilitation is planned. Recent quarry applications have proposed complex groundwater recirculation plans that are required during extraction, and then required as part of the rehabilitation plan. In some circumstances, such pumping is required in perpetuity, which calls into question how mineral aggregate operations are an "interim" land use.

4. A new policy has been added, which allows rehabilitation plans to address the no negative impacts test for development and site alteration of certain natural heritage features at the rehabilitation stage; whereas the existing policies require that the 'no negative impact' test be addressed as part of the existing and future operations. This policy weakens the importance of addressing natural heritage features impacts at the time an operation is established.

2. **Outstanding Planning Committee Direction Respecting Farm Consolidations:**

The Provincial Policy Statement (PPS) and Greenbelt Plan provisions permit severances of surplus farm dwellings as a result of a farm consolidation. The purpose of these policies is to allow farmers to acquire more agricultural land to expand their operations without having to maintain an additional house with each new land acquisition. The policy allows farmers to purchase new agricultural land, consolidate it with their existing operation, and then, if the additional house is not necessary for the operation, sever it from the farm operation.

From the farming communities perspective, it is costly and sometimes impractical for farmers to first purchase a property with a house, and then to sever and sell the house. Costs include higher transaction taxes and fees, as well as the need to obtain financing for the land with the house when it may be needed only for a short time. Additionally, several situations have arisen in which a retiring farmer wants to sell his agricultural land to be consolidated with another farm operation, but wishes to stay in the home. In this situation, the retiring farmer must sell his whole property to another operator and buy the house back once the severance is complete.

From staff's perspective, to be consistent with the PPS policy and to comply with the Greenbelt Plan, the City must ensure the dwelling is surplus directly because of a farm consolidation. If the City were to grant the severance prior to the farm consolidation, there is no way to ensure that the severance is "as a result of a farm consolidation", and there is no certainty that the consolidation will take place. If the consolidation does not occur, the City would have effectively permitted a residential severance, further fragmenting our valuable agricultural land.

In spring 2012, Mark Dorfman, a land use planner who specializes in rural matters, provided a planning opinion to the Planning Committee on the issue as to whether or not the farm consolidation could occur after the severance of a residence surplus to a farming operation. His opinion is quoted below:

“The practice of severing a surplus farm residence has forever existed in Ontario municipalities. During the past thirty-five years, the practice of creating severed lots in agricultural areas has become more restrictive because of the overriding Provincial interest in protecting and conserving agricultural lands. The concern is that by allowing the severance of a surplus farm residence as planning policy, the municipality must ensure that this severance is intended to legitimately relieve the new farm owner from the burden of a surplus dwelling when a farm consolidation takes place. The policy must provide that a current owner of a farm parcel who intends to sell the farm to another farmer or farm organization is not entitled to a surplus farm residence severance in anticipation of a farm consolidation.

A severance for a surplus farm dwelling on its own lot must be considered and consented to by the authority, subject to the policies of the Official Plan, when the owner has acquired the farm as part of a farm consolidation, and only afterwards the owner determines that an existing farm dwelling located on the farm that is part of the consolidation is surplus to the needs of the farming operation.”

Planning Committee received this opinion. However, in a subsequent meeting, requested staff to consult with a variety of stakeholders and to suggest changes to Provincial policy. Given the timing of the PPS review and the limited time for comments to implement Planning Committee and Council’s direction, Council could address this issue through this Report.

Upon a review of the policies and definitions of the PPS, changes to definitions are not required to resolve the concerns of the farming community and Committee/Council, but rather there is a need to have better implementation tools to ensure the PPS and Greenbelt Plan policies are met. Therefore, it would be beneficial for the Province to give the Committee of Adjustment the powers to establish conditions that would allow a surplus farm dwelling severance related to farm consolidation to occur prior to the completion of the farm consolidation.

It should be noted that any changes to the PPS will have limited effect in the City since the majority of land is covered by the Greenbelt Plan. Both the PPS and Greenbelt Plan would have to be changed, but since they are on different review cycles, it is appropriate to request changes to the PPS now.

ALTERNATIVES FOR CONSIDERATION:

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Council has two alternatives to the recommendations presented above:

1. Do not accept the recommendations, and not provide comments to the Province on the 2012 draft Provincial Policy Statement; or,
2. Amend the recommendation by adding additional comments and forwarding those comments to the Province.

Both alternatives would have the same financial and staffing impact. However, if comments are not provided to the Province on the draft PPS policies, Council's interests would not be considered in this primary Provincial planning policy direction.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Skilled, Innovative, and Respectful Organization

- ◆ A culture of excellence.
- ◆ Council and SMT are recognized for their leadership and integrity.

Financial Sustainability

- ◆ Effective and sustainable Growth Management.
- ◆ Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative, and cost-effective manner.
- ◆ Full life-cycle costing for capital.
- ◆ Address infrastructure deficiencies and unfunded liabilities.
- ◆ Generate assessment growth/non-tax revenues.

Intergovernmental Relationships

- ◆ Influence Federal and Provincial policy development to benefit Hamilton.
- ◆ Maintain effective relationships with other public agencies.

Growing Our Economy

- ◆ Newly created or revitalized employment sites.
- ◆ Competitive business environment.
- ◆ A skilled and creative labour pool that supports new employers.
- ◆ An improved customer service.
- ◆ A visitor and convention destination.

Social Development

- ◆ Everyone has a home they can afford that is well maintained and safe.
- ◆ Residents in need have access to adequate support services.
- ◆ People participate in all aspects of community life without barriers or stigma.

Environmental Stewardship

- ◆ Natural resources are protected and enhanced.
- ◆ Reduced impact of City activities on the environment.
- ◆ Remove Hamilton Harbour from Great Lakes area of concern list by 2015.
- ◆ Reduce the impact of Hamilton's industrial, commercial Private and Public operations on the environment.
- ◆ Aspiring to the highest environmental standards.

Healthy Community

- ◆ Plan and manage the built environment.
- ◆ An engaged Citizenry.
- ◆ Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services).

APPENDICES / SCHEDULES

- Appendix "A": City of Hamilton Comments on Draft Provincial Policy Statement
- Appendix "B": Draft Provincial Policy Statement (Track Changes Version 2012)

:CN
Attachs. (2)

City of Hamilton Comments on Draft Provincial Policy Statement

PART 1 - Preamble

No comments.

PART II - Legislative Authority

No comments.

PART III - How to Read the Provincial Policy Statement

The enhancement of this section provides much needed clarity, as it relates to the interpretation of the policies within the PPS. Significant attention has been paid to describing how the policies are to be interpreted, the geographic scale of the policies, and that the policies represent minimum standards. Great detail has been provided with respect to the policy language and the intent of specific terminology. The Province is to be commended for enhancing this important and often overlooked part of the Provincial Policy Statement.

Part III would be improved by adding “cultural factors” to the first sentence: “The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, social, and cultural factors in land use planning”. By adding “cultural factors”, the province would acknowledge the four pillars of sustainable development. The fourth pillar (culture) would need to be referenced in other sections of the Report as well. The change would also support that culture contributes to overall well-being, as reflected in the Canadian Index of Wellbeing (CIW).

If the intent is to provide a clear description of how the policies are to be interpreted, the section entitled “Consider Specific Policy Language” could be simplified by stating there is some flexibility in the interpretation and application of some policies, but those policies with limitations/directives do not have flexibility with respect to implementation.

In the policies, there appears to be an implied importance in the policies based on what Sub-sections get **bolded** titles or preambles. If this is not the case, then consistency is required in formatting. How are preambles to be regarded? Preambles provide important context and meaning for the policies and, in some cases, contain policy-type language. Therefore, wording in a preamble holds the same weight as a numbered policy. Part II should clarify how preamble text is to be used and considered.

PART IV - Vision for Ontario’s Land Use Planning System

The concepts of complete and healthy communities should be part of the vision to set the context for the policies.

The concept of complete and healthy communities ought to include cultural vibrancy (acknowledging that culture is the fourth pillar of sustainable development). Specifically:

- Add “and a vibrant culture” to the end of the first sentence.
- Add “culturally” to the last sentence in Paragraph four to read: “Strong, livable, and healthy communities promote and enhance human health, social, and cultural well-being, and are economically and environmentally sound, and are resilient to climate change”.
- Add “cultural” to the second sentence in Paragraph eight to read: “Long-term prosperity, human, and environmental health and social and cultural well-being should take precedence over short-term considerations.

PART V - Policies

1.0 BUILDING STRONG, HEALTHY COMMUNITIES	
Draft Policy Number	Comment
GENERAL	<p>There are many new policies, revisions, and clarifications in this section. Many help to clarify direction; others need additional work to clarify or explain the outcome to be achieved.</p> <p>The PPS is going in the right direction in attempting to address sustainability and climate change issues, as they can be impacted by the land use planning system. Some additional clarification on the new terms is needed to ensure appropriate interpretation.</p> <p>Culture and “cultural factors” need to be reflected when overall sustainability is referenced in order to acknowledge that there are four pillars of sustainable development (economic prosperity, social development, environmental balance, and cultural vibrancy).</p>

<p>1.1</p>	<p>Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns</p> <p>The term “resilient” is used throughout the draft PPS - additional explanation/context needs to be included to put meaning to the term and allow appropriate interpretation.</p>
<p>1.1.1 h)</p>	<p>What does “resilience to climate change” mean?</p> <p>Suggest adding a point to reflect planning for food systems - land use patterns that promote retention of agricultural lands and access to local food production sources.</p>
<p>1.1.2</p>	<p>New language that recognition of the longer planning horizon for planning of infrastructure and public service facilities will be helpful.</p>
<p>1.1.3</p>	<p>Settlement Areas</p> <p>It is hard to distinguish between policies (whole PPS) that apply to urban and rural Settlement Areas (RSAs), and it is important that there be clear distinctions between them. Moving RSAs from the definition to the beginning of the preamble makes the issue more obvious. The problem is not just that certain policies should not apply to RSAs, but that they promote the opposite of what is appropriate for RSAs: intensification, compact form, densities, and requirements for authorities to set intensification targets. Given the reliance on septic systems and groundwater, be it municipal or private, to meet sourcewater protection and <u>Clean Water Act</u> requirements, planning for RSAs means large lots, less dense development. A separate section for RSAs is preferred.</p>
<p>1.1.3.2 a)</p>	<p>Staff supports the additions of language on active transportation, transit-supportive, and efficient movements of goods (4, 5 and 6).</p>
<p>1.1.3.2 b) and 1.1.3.3</p>	<p>Sub-section b) links to 1.1.3.3, which is awkward. Staff suggests that b) is not necessary, as all the points under a) and Policy 1.1.3.3 adequately express the need to identify and promote intensification and redevelopment and plan for a range of uses. Sub-section b) can be removed.</p>

	<p>Policy 1.1.3.3 requires municipalities to promote intensification. Balancing language needs to be added, either as part of this policy or in a new policy. Language, clearly stating that intensification is not appropriate in all contexts or circumstances and shouldn't be contemplated at any place or at any time, would be helpful for municipalities in both local policy development and in reviewing applications for intensified development.</p>
1.1.3.8 d)	<p>This new provision is too inflexible, potentially limiting expansion on land planned to accommodate growth targets throughout the process of growth management. With the long time horizons involved in Settlement Area expansion, MDS requirements are likely to change throughout the planning process.</p>
1.1.4	<p>Rural Areas in Municipalities</p> <p>Preamble, second paragraph.</p> <p>It is not clear if the term "Settlement Areas" means urban, rural, or both and, consequently, if 1.1.4 applies within rural Settlement Areas. It is not italicized, so it is unclear if it means something different than the definition of "Settlement Areas".</p>
1.1.4.4	<p>The rural functions also require protection from incompatible uses. Recommend adding reference to functions of the rural area in the policy as follows: "Development that is compatible with the functions of the rural area and the rural landscape"</p>
1.1.4.6	<p>It is not clear what the term "resource areas" includes, so a definition is needed.</p>
1.2	Coordination
1.2.1	<p>The additions of economic development strategies, multi-modal transportation systems, and a regional housing strategy as matters to be coordinated are supported. There are funding implications associated with coordination, and municipalities would benefit from further provincial direction and participation in the development of these strategies.</p> <p>Regional coordination is also required for addressing air quality and climate change. These items should be added to the policy.</p>
1.2.2	<p>The term "encouraged to coordinate" needs to be clarified. "Coordinate" is a different process than "consult". Some explanation and further direction is warranted, particularly in the complexities of aboriginal consultation.</p>

1.2.3	<p>Clarification on the concept of “resilient communities” would be beneficial.</p> <p>Add “cultural” to read: “...economic, environmental, cultural, and social planning considerations...”</p>
1.2.6	<p>Land Use Compatibility</p> <p>This policy is new in the PPS. Compatibility is a basic principle of land use planning, but the policy could benefit from a preamble providing context and explaining why land use compatibility is important and how it contributes to strong, healthy communities. The policy intent is not clear. Is this policy focusing on large facilities, adverse impacts, or true compatibility? If the policy is intending to prevent adverse impacts from odour, noise, and other contaminants, all facilities that have similar impacts should be addressed, not just the defined larger facilities. If the policy is to focus on compatibility in general, this policy does not address the objective.</p> <p>Land use compatibility is a critical element of policy, particularly in areas covered by the growth plan where intensification policies are a critical element of local growth directions. Policy on compatibility could be greatly expanded.</p>
1.3	<p>Employment</p> <p>The clarification and differentiation between “employment” and “employment areas” is helpful.</p>
1.3.2.3	<p>The definition of “major goods movement facilities and corridors” should not contain language about approaches for protection. Those statements belong as policies under 1.3.2.</p>
1.3.2.4	<p>We support this new policy allowing long term protection of employment areas.</p>
1.4	<p>Housing</p> <p>There is only one change to these policies to address active transportation. This change is supported; however, the Province is missing the opportunity to strengthen a foundational component of building strong healthy communities. While land use planning cannot guarantee affordability, nor can it guarantee housing tenure, it can provide opportunities of intrinsic affordability through densities, mix and range of housing types, development standards, and other articulate policy objective.</p>

1.4.1 and 1.4.3	<p>These policies should refer to “full range” rather than “appropriate range” of housing types, and should be revised to refer to “all” current and future residents.</p> <p>The promotion of energy efficiency and new ‘green’ housing forms is another policy direction that could be added to this section.</p>
1.4.3 a)	<p>Amend this policy to read “establishing and implementing minimum targets based on identified need for the provision of housing, which is affordable to low and moderate income households...”</p>
1.4.3. b) 1.	<p>Amend this policy to read:</p> <p>1. All forms of housing, including special needs housing, required to meet the social, cultural, health, and well-being requirements of all current and future residents; and”</p> <p>The existing PPS definition describes housing, not people. This policy change is more consistent with the definition. Urban Hamilton Official Plan uses the term “housing with supports”, which is a more accepted and up-to date term in social service community.</p>
1.4.3.e)	<p>Amend this policy to read “establishing development standards...which minimize the cost of housing to facilitate achievement of the targets established as per 1.3.4.a), and facilitate compact form while maintaining...”</p>
1.5	<p>Public Spaces, Recreation, Parks Trails, and Open Space</p> <p>In 1.5.1, suggest adding points on complete streets, as well as shade provision in parks and public spaces. These measures are the means of achieving promoting healthy and active communities.</p> <p>Add “culturally vibrant” to (a).</p>
1.6	<p>Infrastructure and Public Service Facilities</p> <p>Generally, staff is concerned that the PPS does not address the operation and maintenance costs associated with infrastructure.</p>
1.6.1	<p>By adding the phrase “that considers the impacts from climate change”, implies that those impacts are known and can be factored in to an analysis. This is not always the case.</p>

	<p>The second statement under this policy should be given its own number. The first two words (“planning for”) could be struck out to simplify. As an alternative way to clarify the intent, the entire paragraph could be reworded as follows:</p> <p>“Infrastructure and public service facilities shall be coordinated and integrated with land use planning to meet current and projected needs, while considering financial viability over their life cycle.”</p>
1.6.2	Adaptive reuse should be defined.
1.6.5	<p>Sewage, Water, and Stormwater</p> <p>The draft PPS adds helpful clarifications, specificity, and refinements to the sewage and water policies as they apply to the rural area. Changes follow provincial legislative changes (i.e., <u>Clean Water Act</u>, sourcewater planning), as well as City policy.</p> <p>Revisions to the servicing policies for the rural area are helpful, particularly the “no negative impacts” test in 1.6.5.4 and 1.6.5.5</p> <p>The new stormwater policies in 1.6.5.7 are appropriate and helpful.</p>
1.6.5.1 a)	What does “optimizing” mean? Please define.
1.6.6	<p>Transportation Systems</p> <p>Staff supports the inclusion of active transportation throughout the PPS. However, there are implications for municipalities in the implementation of active transportation, if this is not contemplated through other relevant legislation, including the <u>Highway Traffic Act</u>. Hamilton has made active transportation a priority in the City-Wide Transportation Master Plan, and the direction through the PPS provides additional strength to the City’s efforts to introduce enhanced active transportation measures through the municipality. This section should include a greater emphasis on public transit and public mobility over single occupancy vehicles.</p>
1.6.6.2	<p>This policy is the only place where transportation demand management (TDM) is mentioned. Consider removing “where feasible” in this policy. TDM elements and actions are so broad that there will always be an ability to apply some type of TDM element to projects. Please consider a stronger emphasis on TDM throughout the PPS. Additional policies in this section could be added identifying complementary actions to the land use response to transportation, such as encouraging the use of</p>

	community based social marketing programs to promote active transportation.
1.6.7	<p>Transportation and Infrastructure Corridors</p> <p>Complete streets language is not well articulated in this draft, yet it is an important philosophy that the Province is promoting through its work on transportation planning and in the Transit Supportive Guideline. It is an important mechanism for implementing active transportation measures, both at a local level as well as through coordination with other municipalities, and should be addressed in the PPS. A suggestion would be to add another policy to this section as follows:</p> <p>1.6.7.7 - Adopt a complete streets design philosophy when developing and redeveloping transportation corridors.</p>
1.6.7.2	Are “planned corridors” a subset of “major goods movement facilities and corridors”? How are they connected? Should the definitions be coordinated? What constitutes “protected”? It is not clear at what point these corridors are protected.
1.6.7.3	Staff supports the inclusion of the new language, but recommends that second sentence be expressed as a separate policy, as it is a distinct direction from the first sentence.
1.6.8	<p>Airport, Rail, and Marine Facilities</p> <p>City staff is encouraged to see that rail and marine facilities are recognized for their economic role in goods movement.</p> <p>The definition of Rail Facilities should differentiate between heavy rail corridors and light rail corridors.</p>
1.6.9	<p>Waste Management</p> <p>Staff supports the additional language on the implications of development and land systems patterns on waste generations, management, and diversion in 1.6.9.1. The definition of “waste management systems” should be revised to include the waste collection systems, an important aspect of the system.</p> <p>Additional policies to encourage innovative municipal composting or recycling facilities and programs in new development would assist in creating sustainable communities.</p>

1.6.10	<p>Energy Supply</p> <p>Is “renewable energy”, as defined under the <i>Green Energy Act</i>? Please consider policies promoting energy demand management programs.</p>
1.7	<p>Long Term Economic Prosperity</p> <p>The additional directions are welcomed and are supported. Urban design, cultural planning, goods movement, sustaining an agricultural economy, promoting energy conservation, and achieving sustainability are part of the City of Hamilton’s strategic directions and key elements in our land use planning and economic development activities.</p> <p>Please define “investment - readiness” in 1.7.1 e).</p>
1.7.1	<p>Suggest adding additional language linking complete streets, quality built environments that produce desirable environments for business. Could be achieved by rewording points c) and d), or a new point.</p>
1.8	<p>Energy Conservation, Air Quality, and Climate Change</p> <p>Promotion of TDM measures and active transportation could be added to 1.8.1c).</p>
1.8.1 g)	<p>This section identifies that development patterns need to “increase vegetation within Settlement Areas, where feasible.”</p> <p>The policy could be reworded to say “increase vegetation and provide for shade within”.</p> <p>Also, a reference to protection of natural heritage features, as directed in Section 2.1, should be added, and “where feasible” removed. As currently drafted, 1.8.1 g) is contrary to the directives in Section 2.1, which directs that natural features “shall be protected”.</p>
<p>2.0 WISE USE AND MANAGEMENT OF RESOURCES</p>	
General and Preamble	<p>The Natural Heritage draft policies are general in nature, which provides a certain level of flexibility, which is very important since not every location where these policies are applied is the same. Policy 2.0 indicates Ontario’s long-term prosperity, environmental health, and social well-being depend on maintaining biodiversity. The definition of biodiversity is missing. To make sure that the same definition is being used to understand this concept, this</p>

	should be included within the definition section.
2.1	Natural Heritage (Also see comments on Section 2.5 Mineral Aggregate Resources).
2.1.1	Inconsistency in terms is confusing - “natural features and areas” in 2.1.1, “natural features in an area” in 2.1.2, and the defined term “natural <u>heritage</u> features and areas”. Suggest using the same term and spelling out any intended differences.
2.1.2	Additional direction on ecosystem restoration could be considered for the PPS. Restoration has been alluded to in this policy (which has not changed from 2005), but clear definition of restoration has not been provided. A stronger position and definition of restoration would strengthen the ability to maintain biodiversity and support the systems approach to development of an NHS.
2.1.3	<p>This Policy requires that municipalities identify a Natural Heritage System. The inclusion of this policy strengthens the movement of restoration and overall protection of the natural environment. The policy also provides further recognition in the movement from a features-based approach to a systems-based approach in the protection of natural heritage features and their functions. The use of landscape ecology principles provides a less piece-meal approach to land use planning. The City of Hamilton has already taken this step in its new Urban and Rural Official Plans.</p> <p>The City has some concerns about the portion of the policy which reads, “recognizing that considerations in planning for natural heritage systems in Settlement Areas, rural area, and prime agricultural areas may vary.” This statement is not clear; if a natural feature has been identified as significant and worthy of protection, it should not matter whether the feature is within a rural settlement, rural, or prime agricultural area. Staff is concerned about applying different policy interpretation to significant natural features, based on their location in the landscape. This policy should be revised to “Natural Heritage Systems” and shall be identified in Ecoregions 6E and 7E, in Settlement Areas, rural areas, and prime agricultural areas”.</p>

2.1.5 f)	This policy should be more inclusive and include unevaluated and local wetlands. Currently, the only protection afforded to these features and their functions may be in individual Official Plans. It would be prudent to include these wetlands within this policy because they may otherwise be lost, even if they provide a role in the local ecosystem.
2.1.7	This new policy recognizes that the MNR is able to update what is considered to be habitat for endangered or threatened species, and is responsible for issuing permits that would authorize the destruction of species habitat. The term "significant" is removed from the definition, and a new definition has been included, which recognizes both regulated and non-regulated habitat. This policy may be more restrictive, but it aids in attaining the goal of maintaining biodiversity. The City is supportive of this change. Implementation may be more difficult. Municipal staff will need guidance from MNR staff on how much habitat to protect for an individual species. The Province will need to ensure that those resources are available to municipalities.
2.3	Agriculture
2.3.2	What are the "guidelines developed by the Province"?
2.3.3	<p>Permitted Uses</p> <p>The changes broaden the uses permitted. Overall, these changes are positive, but the lack of clarity of some new terms and complete removal of the "small scale" condition for agriculture-related uses permits an overly broad list of uses. There is no easy answer of how to balance the sometimes conflicting goals of protection of agricultural land and promotion of all aspects of the business of agriculture.</p> <p>The changes to the uses permitted as agriculture or related to agriculture respond to common concerns that important aspects of the business of agriculture are not currently permitted. Overall these changes are positive, but some changes lead to an overly broad list of uses.</p> <p>Careful attention should be paid to definitions, as they are integral to the policy. For more staff discussion on key definitions, see definition sections (Pages 15 to17 - Appendix 'A') below for further discussion of the definitions of "agri-tourism uses", "on-farm diversified uses" and "residence surplus to a farming operation".</p>

<p>2.3.4 2.3.4.1</p>	<p>Lot Creation and Lot Adjustments</p> <p>Staff supports the addition of c) 1.</p> <p>Staff suggests adding a definition of “farm consolidation”, and suggests the wording mirror that of the Greenbelt Plan (see Section 6.0, below).</p> <p>Staff suggests an additional provision for b) and c) that severance “shall not hinder” (2.3.3.1)/negatively impact agricultural operations on vacant remnant parcel or on adjacent lands.</p>
<p>2.5</p>	<p>Mineral Aggregate Resources</p>
<p>2.5.2 2.5.2.1</p>	<p>Protection of Long-Term Resource Supply</p> <p>This policy is not new, but should be removed. While proximity to market is desirable, it should not outweigh a consideration of the impacts of the extraction operation on the surrounding population and local environment. Proximity to market results in extraction operations being proposed and located in environmentally significant and populated areas. The desire for proximity to market must be balanced against all other impacts.</p> <p>Further, it should be within an approval authority’s jurisdiction to request a supply/demand analysis when a new or expanding pit or quarry is proposed. Review of supply and demand analysis is a typical planning consideration when evaluating new or expanding land uses and, therefore, should also be applicable to the evaluation of extraction operations.</p>
<p>2.5.2.2</p>	<p>This policy should be rewritten to include economic impacts. There is a concern about cost to municipalities as a result of extraction operation in relation to impacts on roads and infrastructure along the haul route. The long term costs of perpetual pumping below the water table quarry operations during the extraction and rehabilitation period is also of concern, Agreements are required to ensure that municipalities will not be responsible for these long term costs, particularly once the extraction period is complete.</p> <p>This policy should also clarify that “Extraction” refers to both the period of extraction and rehabilitation, particularly in relation to environmental impacts. Recent quarry proposals have been based on complicated groundwater recirculation systems, which require long term pumping for the life of the quarry (including extraction and rehabilitation) and possibly, in perpetuity. Reliance is being placed on Adaptive Management Plans (AMPs)</p>

	<p>to address issues that may arise during extraction and rehabilitation. As such, it is critical to recognize that the above noted policy shall also apply to the rehabilitation stage.</p> <p>This policy should add “cultural” impacts so that all four pillars of sustainable development are represented.</p>
2.5.2.3	2.5.2.3 Defining “conservation” and replacing the word “should” with “shall” significantly changes the meaning of 2.5.2.3. See comment on definition of “conservation” in Section 6, below.
2.5.3 2.5.3.1	<p>Rehabilitation</p> <p>Staff has concerns with the use of the word “interim”. While it is agreed that the extraction process itself is “interim”, as noted above under 2.5.2.2 comments, the “interim” nature of the quarry operation is questionable. Further, the reliance on AMPs during the rehabilitation phase raises further questions, and does not provide certainty for approval authorities regarding the long term rehabilitation and of the quarry lands.</p>
2.5.3.2	<p>A policy regarding the permitting of extraction does not fit within this section on rehabilitation. A new section, “Extraction in Natural Heritage Features and Areas” to mirror Section 2.5.4., is needed.</p> <p>This policy weakens Natural Heritage Policies 2.1.5 and 2.1.8, which prohibit development and site alteration within and adjacent to specified features unless it has been determined that there will be no negative impact. Hamilton does not support a policy that would enable extraction to meet the “no negative impacts” test by commitment to restore natural heritage features at the time of rehabilitation, thereby allowing the features to be removed for the life of the operation.</p> <p>Staff is concerned that crucial functions of our natural heritage system (groundwater recharge one of many) could be lost for a substantial period of time, causing significant negative impacts for the life of the operation. Of particular concern, is extraction where progressive rehabilitation is not feasible, such as quarries below the water table, and negative impacts off-site that cannot be rehabilitated by actions on-site.</p>

2.5.3.3	<p>The concept of comprehensive rehabilitation is supported. However, the feasibility of achieving a comprehensive approach is questionable. There is currently a lack of understanding of the long term impacts which may arise from recent quarry proposals. Long term issues are described in comments on Policies 2.5.2.2 and 2.5.3.1. Without a clear understanding of the impacts of a single quarry operation, it would be difficult to fully achieve a comprehensive approach.</p>
2.5.4 title	<p>Extraction in Prime Agricultural Areas</p> <p>The title should be changed by adding “and Specialty Crop Areas”, as the policies address both.</p>
2.5.4.1	<p>There is no effective change for Hamilton, since changes mirror Greenbelt Plan policies, but the draft mineral aggregate policies for prime agricultural and specialty crop areas need to be clarified. The provision of separate direction for specialty crop areas, previously subsumed under prime agriculture, and the addition of specialty crop specific criteria from the Greenbelt Plan, are supported.</p> <p>Structure of these policies creates confusion. A separate policy for “specialty crop areas”, and a sequential provision structure like Greenbelt Plan 4.3.2.8 c), will provide clarity.</p> <p>The definition of “high quality” is vague with respect to bedrock. There is a need to clarify the difference between “high quality mineral aggregate resources”, “deposits of mineral aggregate resources”, and the Greenbelt term “substantial aggregate deposit warranting extraction”. “High Quality” is only used in this policy, and doesn’t add any specificity to this policy with respect to bedrock.</p>
2.6	<p>Cultural Heritage and Archaeology</p> <p>The policy purview needs to be expanded. The policy needs to be expanded beyond conservation efforts and reflect broader cultural heritage stewardship which encompasses tangible and intangible (values, beliefs, knowledge, and traditions).</p>
2.6.1	<p>PPS requires municipalities to “conserve” significant resources. “Significant” is a broad definition that would cover properties worthy of designation, as well as listed properties.</p>

	<p>Definition of “conserved” was changed to specify protection and retention under the <u>Ontario Heritage Act</u>. The City currently uses heritage impact assessments for properties not designated under the OHA, but listed locally. Therefore, this policy now limits our ability to protect resources that are not formally designated under OHA, either through a heritage impact statement or other tools contemplated under our Official Plans.</p> <p>By tying conservation to OHA designation in the definition, the PPS now weakens the City’s ability to protect its cultural heritage. A careful review and revisions to this section to ensure that policy and definitions are clear is needed.</p>
2.6.4	<p>How does one “consider and promote” archaeological management plans and cultural plans? Does it mean consider the ‘use of’ these items as a means of conserving cultural heritage resources? Please clarify. Are these tools only to be used for properties protected under OHA, or can they be used for listed properties through the development approvals process?</p>
2.6.5	<p>What does “consider the interests” mean? How is it to be done?</p>
<p>3.0 PROTECTING PUBLIC HEALTH AND SAFETY</p>	
General	<p>The preamble of this section identifies the need to protect from “natural and human-made hazards”. Human-made hazards are not defined, but indicated through Policy 3.2.1. This section could be revised to recognize the inter-relationship between public health and the built environment, referring to other policies, where appropriate.</p>
<p>4.0 IMPLEMENTATION AND INTERPRETATION</p>	
General	<p>The additional language and policies in this section are helpful. This section should also recognize that in addition to Official Plan and Zoning By-laws, other programs, policies, and actions at both Local, Regional, and Provincial governments and agencies are required in order to fully achieve the directions envisioned in the PPS.</p>
<p>6.0 DEFINITIONS</p>	
General	<p>The terms climate change, air quality, and climate change impacts are used throughout the draft PPS. This is new policy language and required clarity in terms.</p>

Active transportation	Would this definition include E-bikes?
Agricultural uses	What does “value-retaining facilities” mean?
Agriculture-related uses	<p>Removal of “small scale” opens the door for uses that are overly large. Is there a way to permit uses bigger than small scale, but not leave the scale totally open-ended?</p> <p>Staff supports the addition of agriculture supportive functions.</p> <p>Does “the farm operation” mean an individual farm operation? If so, reword appropriately for clarity.</p> <p>What does “as an exclusive activity” mean? Does it mean that the entire agricultural related use has to directly serve agriculture? If so, this is difficult to implement, and staff suggests replacing “exclusive activity” with “primary activity”.</p>
Agri-tourism uses	<p>Staff supports a new definition as long as agri-tourism uses remain permitted only as on-farm diversified uses (small-scale and secondary). Otherwise, the proposed definition is too broad in scope and scale, and could be interpreted to include almost anything. Also, staff would question whether accommodation should be part of the definition. B&Bs can be permitted on farms under other provisions, and don't have to be related to a farming operation.</p> <p>An alternative description of agri-tourism is found from the OMAFRA website, and is described as follows:</p> <p>“Agri-tourism supports a growing desire by consumers to head outdoors and to the country for more leisure opportunities. The University of California's Small Farm Center defines Agricultural Tourism as "the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education, or personal involvement in the activities of the farm or operation." Agri-tourism is a subset of a larger recreational industry called rural tourism that includes visits to rural settings or rural environments to participate in or experience activities, events, or attractions not readily available in urbanized areas.”</p> <p>Staff suggests a more appropriate definition can be derived from some of the concepts identified in this material.</p>

<p>Conservation (aggregate context)</p>	<p>Staff supports the addition of “a) promoting recycling of aggregates”, however, with regard to “b) ...extraction of on-site mineral aggregate resources prior to development occurring” indicates that extraction is part of conservation, when the intent is using other sources of aggregate that become available through other activities, not related to an aggregate operation.</p>
<p>Conserved (cultural heritage context)</p>	<p>Definition contains policy direction on ways to conserve cultural heritage resources. This language should be moved into the policies. However, as drafted, the list of suggested tools conflicts with the policy direction in 2.6.1.</p>
<p>Cultural heritage landscape</p>	<p>The definition of cultural heritage needs to be expanded. The current definition is too narrow in that it is conservation focused (and takes a limited view of conservation). The definition needs to reflect cultural heritage stewardship which encompasses tangible and intangible (values, beliefs, knowledge, and traditions). The definition should align to the federal and provincial definitions of cultural assets.</p>
<p>Farm consolidation (new)</p>	<p>Staff recommends including a definition of “farm consolidation” for consistency with Greenbelt Plan as follows: “the acquisition of additional farm parcels to be operated as one farm operation.”</p>
<p>Green infrastructure</p>	<p>Green infrastructure is part of the lexicon of planning. The new definition indicates that natural heritage features and systems, parklands, stormwater management systems, urban forests, permeable surfaces and green roofs can be components of green infrastructure. Staff has concerns with this definition, since the inclusion of all natural heritage features and systems may not be appropriate in the development of green infrastructure.</p>
<p>Heritage attributes</p>	<p>The definition of heritage needs to be expanded. The current definition is too narrow in that it is conservation focused (and takes a limited view of conservation). The definition needs to reflect heritage stewardship which encompasses tangible and intangible (values, beliefs, knowledge, and traditions). The definition should align to the federal and provincial definitions of cultural assets.</p>
<p>Major goods movement facilities and corridors</p>	<p>The sentence that begins with “Approaches” is unclear. Is it referring back to Policy 1.3.2.3 as approaches for protection? If so, that language belongs in a policy under 1.3.2.3.</p>

Natural heritage features and areas	Add "cultural" to the last sentence "...which are important for their environmental, cultural, and social values...".
Recreation	Add "culture" to the definition of recreation to read: "...personal enjoyment, cultural experience, positive social interaction...".
Regional market area	Add "cultural" to the definition to read: "Refers to an area that has a high degree of social, cultural, and economic interaction...".
Significant woodlands	Change in definition specifies that MNR criteria are to be used to identify significant woodlands. This language should be removed from the definition and placed in policy. This definition is problematic to the City of Hamilton, as the City's significant woodlands are based on local criteria. Re-evaluating those woodlands under MNR criteria only may result in the loss of protection of local woodlands, thus compromising the entire NHS system, as described and specified in the new City of Hamilton Urban Official Plan (under appeal) and City of Hamilton Rural Official Plan (in effect).
Special needs	This definition should be changed to "Special needs housing".
Residence surplus to a farming operation	Staff supports the addition of the word " <i>habitable</i> " to the definition.
Resource Areas (new)	Staff recommends defining this term as used in the context of Policy 1.1.4.6.

DRAFT PROVINCIAL POLICY STATEMENT
Under the Planning Act

Track Changes Version 2012

This document identifies changes from the Provincial Policy Statement, 2005 in the Draft Policies for Public Consultation with additions shown in grey highlighting and deletions shown in strikethrough and grey highlighting. While this document has been carefully prepared, readers should refer to the Draft Policies for Public Consultation, available at Ontario.ca\pps, for the official proposed policies.

TABLE OF CONTENTS

Part I	PREAMBLE	1
Part II	LEGISLATIVE AUTHORITY	1
Part III	HOW TO READ THE PROVINCIAL POLICY STATEMENT	2
Part IV	VISION FOR ONTARIO’S LAND USE PLANNING SYSTEM	4
Part V	POLICIES	6
1.0	BUILDING STRONG HEALTHY COMMUNITIES	6
1.1	Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns.....	6
	Settlement Areas.....	7
	Rural Areas in Municipalities.....	9
	Rural Areas in Territory Without Municipal Organization.....	10
1.2	Coordination.....	10
	Land Use Compatibility.....	11
1.3	Employment Areas.....	12
	Employment Areas.....	12
1.4	Housing.....	12
1.5	Public Spaces, Recreation, Parks, Trails and Open Space.....	14
1.6	Infrastructure and Public Service Facilities.....	14
	Sewage, and Water and Stormwater.....	15
	Transportation Systems.....	17
	Transportation and Infrastructure Corridors.....	17
	Airports, Rail and Marine Facilities.....	18
	Waste Management.....	18
	Energy Supply.....	18
1.7	Long-Term Economic Prosperity.....	19
1.8	Energy Conservation, and Air Quality and Climate Change.....	20
2.0	WISE USE AND MANAGEMENT OF RESOURCES	21
2.1	Natural Heritage.....	21
2.2	Water.....	22
2.3	Agriculture.....	23
2.4	Minerals and Petroleum.....	25
2.5	Mineral Aggregate Resources.....	26
2.6	Cultural Heritage and Archaeology.....	28
3.0	PROTECTING PUBLIC HEALTH AND SAFETY	29
3.1	Natural Hazards.....	29
3.2	Human-Made Hazards.....	31
4.0	IMPLEMENTATION AND INTERPRETATION	32
5.0	FIGURE 1	35
6.0	DEFINITIONS	37

Part I: PREAMBLE

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians ~~the citizens of Ontario~~.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the Provincial Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, ~~place-based~~ and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may also affect planning matters, and assist in implementing these interests.

Part II: LEGISLATIVE AUTHORITY

The Provincial Policy Statement is issued under the authority of ~~Section~~ 3 of the *Planning Act* and came into effect on ~~<DATE>~~ March 1, 2005. ~~It applies to all applications, matters or proceedings commenced on or after March 1, 2005~~

In respect of the exercise of any authority that affects a planning matter, ~~Section~~ 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act.

Part III: HOW TO READ THE PROVINCIAL POLICY STATEMENT

The provincial A policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The Provincial Policy Statement supports a comprehensive, integrated, place-based and long-term approach to planning, and recognizes linkages among policy areas.

Read the Entire Provincial Policy Statement

The Provincial Policy Statement is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. ~~read all of the relevant policies as if they are specifically cross-referenced with each other. While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.~~ The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

There is no implied priority in the order in which the policies appear.

Part IV, Vision for Ontario's Land Use Planning System, provides the context for applying the Provincial Policy Statement. ~~Implementation issues are addressed in the Implementation and Interpretation section.~~

Consider Specific Policy Language

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as "settlement areas shall be the focus of growth and development". Other policies set out limitations and prohibitions, such as "development and site alteration shall not be permitted". Other policies use enabling or supportive language, such as "should," "promote" and "encourage".

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Policy Statement is intended to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies Represent Minimum Standards

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may build upon these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are traditionally italicized, other italicized terms in the Provincial Policy Statement are defined in the Definitions section. For other terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions section are intended to capture both singular and plural forms of these terms in the policies.

~~There is no implied priority in the order in which the policies appear.~~

Part IV: VISION FOR ONTARIO'S LAND USE PLANNING SYSTEM

The long-term prosperity and social well-being of Ontarians depend on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy.

Ontario is a vast province with diverse urban, rural and northern communities which may face different challenges related to diversity in population levels, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment. The Provincial Policy Statement reflects this diversity, which includes the histories and cultures of Aboriginal peoples, and is based on good planning principles that apply in communities across Ontario. The Province recognizes the importance of consulting with Aboriginal communities, as appropriate, on planning matters that may affect their rights and interests.

The Provincial Policy Statement focuses growth and development within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development and land use change may involve directing, promoting or sustaining development growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

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. ~~facilitate pedestrian mobility and 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. Strong, liveable and healthy communities promote and enhance human health and social well-being, and are economically and environmentally sound, and are resilient to climate change.

The Province's natural heritage resources, water resources, including the Great Lakes, agricultural resources and lands and the food provided by these areas, mineral resources, and cultural heritage and archaeological resources provide important environmental, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to maintain biodiversity, protect essential ecological processes and public health and safety, minimize environmental and social impacts, and meet its long-term needs.

It is equally important to protect the overall health and safety of the population. The Provincial Policy Statement directs development away from areas of natural and human-made hazards, where these hazards cannot be mitigated. This preventative approach supports provincial and municipal financial well-being over the long term, protects public health and safety, and minimizes cost, risk and social disruption.

Taking action to conserve land and resources avoids the need for costly remedial measures to correct problems and supports economic and environmental principles.

Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long-term prosperity, human and environmental health and social well-being should take precedence over short-term considerations.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario, despite regional variations. To support our collective well-being, now and in the future, all land use must be well managed.

~~The Vision for Ontario's Land Use Planning System may be further articulated through planning direction for specific areas of the Province issued through provincial plans, such as those plans created under the *Niagara Escarpment Planning and Development Act* and the *Oak Ridges Moraine Conservation Act, 2001*, which are approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing.~~

Part V: POLICIES

1.0 BUILDING STRONG HEALTHY COMMUNITIES

Ontario is a vast province with urban, rural, and northern communities with diversity in population levels, economic activities, pace of growth and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, and healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

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 range and mix of residential (including affordable housing), employment (including industrial, commercial and institutional uses), recreational, park and open space uses to meet long-term needs;
- c) 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 cost-effective development patterns and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and the elderly by identifying, preventing and removing removing and/or preventing land use barriers which restrict their full participation in society; and
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs; and
- h) promoting development and land use patterns that maintain biodiversity and resilience to climate change.

1.1.2 Sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet

projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Nothing in policy 1.1.2 limits the planning for *infrastructure* and *public service facilities* beyond a 20-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population levels, economic activity, diversity and intensity of land uses, and types of infrastructure available.

The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth or development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

- a) densities and a mix of land uses which:
 1. efficiently use land and resources;
 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; ~~and~~
 3. minimize negative impacts to air quality and climate change, and promote energy efficiency ~~in accordance with policy 1.8;~~ ~~and~~
 4. support *active transportation*;
 5. are *transit-supportive*, where transit is planned, exists or may be developed; and
 6. support the efficient movement of goods; and
- b) a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable

existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

Intensification and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while ~~maintaining appropriate levels of~~ avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- ~~1.1.3.6 Planning authorities shall establish and implement phasing policies to ensure that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*.~~
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.
- ~~1.1.3.8 Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.~~
- 1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:
- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and
 - b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.
- 1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
- a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
 - b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable

- over their life cycle, and protect public health and safety and the natural environment;
- c) 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*; and
 - 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 mitigated to the extent feasible.

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.

1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are those areas which are located outside of settlement areas and *prime agricultural areas*. Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies.

Rural areas and settlement areas are interdependent in terms of markets, resources and amenities. It is important to protect and build on rural assets and amenities to support a sustainable economy.

1.1.4.1 In *rural areas* located in municipalities, permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses.

1.1.4.2 Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.

1.1.4.3 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

1.1.4.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.4.5 *Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices* should be protected and promoted in accordance with provincial standards

1.1.4.6 Locally-important agricultural and resource areas should be designated and protected by directing non-related development to areas where it will not constrain these uses.

1.1.4.7 Opportunities should be retained to locate new or expanding land uses that require separation from other uses. ~~;~~ ~~and~~

1.1.4.8 Recreational, tourism and other economic opportunities should be promoted.

1.1.5 ~~Rural Areas in~~ Territory Without Municipal Organization

1.1.5.1 In *rural areas* located in territory without municipal organization, the focus of development activity shall be activities and land uses related to the sustainable management or use of resources and resource-based recreational activities.

1.1.5.2 The establishment of new permanent townsites shall not be permitted.

1.1.5.3 In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational activity shall be permitted unless:

- a) the area forms part of a planning area; ~~and~~
- b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
- c) it has been determined, as part of a *comprehensive review*, that the impacts of ~~growth~~ ~~development~~ will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

1.2 COORDINATION

1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, ~~or which~~ across lower, single and/or upper-tier municipal boundaries, ~~and with other levels of government,~~ agencies and boards including:

- a) managing and/or promoting growth and development;
- b) economic development strategies;
- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;

- d) *infrastructure, multi-modal transportation systems, public service facilities and waste management systems;*
- e) *ecosystem, shoreline, and watershed, and Great Lakes related issues;*
- f) *natural and human-made hazards; and*
- g) *population, housing and employment projections, based on regional market areas; and*
- h) *addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement.*

1.2.2 Planning authorities are encouraged to coordinate planning matters with Aboriginal communities, where appropriate.

1.2.3 Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.

1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:

- a) identify, coordinate and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect *provincial plans* where these exist;
- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;
- c) identify targets for *intensification* and *redevelopment* within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8;
- d) where transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors, including minimum targets that should be met before expansion of the boundaries of *settlement areas* is permitted in accordance with policy 1.1.3.8; and
- e) identify and provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.

1.2.5 Where there is no upper-tier municipality, planning authorities shall ensure that policy 1.2.4 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

1.2.6. Land Use Compatibility

1.2.6.1 *Major facilities and sensitive land uses* should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of *major facilities*.

1.3 EMPLOYMENT AREAS

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional) uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- ~~e) planning for, protecting and preserving *employment areas* for current and future uses; and~~
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

1.3.2.2 Planning authorities may permit conversion of lands within *employment areas* to non-employment uses through a *comprehensive review*, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.3 Planning authorities shall protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations.

1.3.2.4 Planning authorities may plan for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.

1.4 HOUSING

1.4.1 To provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the *regional market area* identified in policy 1.4.3, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through *residential intensification* and *redevelopment*

and, if necessary, lands which are *designated and available* for residential development; and

- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements 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*. However, where planning is conducted by an upper-tier 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 required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
 - 2. all forms of *residential intensification* and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of ~~alternative transportation modes~~ *active transportation* and ~~public~~ transit in areas where it exists or is to be developed; and
- e) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.5 PUBLIC SPACES, RECREATION, PARKS, TRAILS AND OPEN SPACE

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling active transportation and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas. considering the impacts of planning decisions on provincial parks, conservation reserves and conservation areas.

1.6 INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES

1.6.1 *Infrastructure* and *public service facilities* shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while to accommodate projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning for growth so that these they are financially viable over their life cycle and available to meet current and projected needs.

1.6.2 Before consideration is given to developing new *infrastructure* and *public service facilities*:

- a) The use of existing *infrastructure* and *public service facilities* should be optimized, wherever feasible;
- b) opportunities for adaptive re-use should be considered, wherever feasible; and
- c) the use of *green infrastructure* should be encouraged, where feasible, to augment *infrastructure*, and for other associated ecological and hydrological benefits.

1.6.3 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services.

1.6.4 Where feasible, *Public service facilities*, should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.5 Sewage, and Water and Stormwater

1.6.5.1 Planning for *sewage and water services* shall:

- a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:
 1. *municipal sewage services* and *municipal water services*; and
 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available;
- b) ensure that these systems are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is **feasible**, financially viable and complies with all regulatory requirements; and
 3. protects human health and the natural environment;
- c) promote water conservation and water use efficiency;
- d) integrate servicing and land use considerations at all stages of the planning process; and
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.5.2, 1.6.5.3, 1.6.5.4 and 1.6.5.5.
- ~~e) subject to the hierarchy of services provided in policies 1.6.4.2, 1.6.4.3 and 1.6.4.4, allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.~~

1.6.5.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas*. *Intensification* and *redevelopment* within *settlement areas* on existing *municipal sewage services* and *municipal water services* should be promoted, wherever feasible.

1.6.5.3 Where *municipal sewage services* and *municipal water services* are not provided, *private communal sewage services* and *private communal water services* may be used.

~~Municipalities may choose to use *private communal sewage services* and *private communal water services*, and where policy 1.6.5.4 permits, *individual on-site sewage services* and *individual on-site water services*, where:~~

- ~~a) *municipal sewage services* and *municipal water services* are not provided;~~
~~and~~

b) ~~the municipality has established policies to ensure that the services to be provided satisfy the criteria set out in policy 1.6.5.1.~~

~~1.6.4.3 Individual on site sewage services and individual on site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long term provision of such services. Despite this, individual on site sewage services and individual on site water services may be used to service more than five lots or private residences in rural areas provided these services are solely for those uses permitted by policy 1.1.4.1(a) and site conditions are suitable for the long term provision of such services.~~

1.6.5.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not provided, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, these services may only be used for infilling and minor rounding out of existing development.

1.6.5.5 *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; ~~and 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*.
 - ~~1. the development is within the *reserve sewage system capacity* and *reserve water system capacity*; and~~
 - ~~2. site conditions are suitable for the long term provision of such services.~~

1.6.5.6 Subject to the hierarchy of services provided in policies 1.6.5.2, 1.6.5.3, ~~and~~ 1.6.5.4, and 1.6.5.5 planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.5.7 Planning for stormwater management shall:

- a) minimize, or, where possible, prevent increases in contaminant loads;
- b) minimize changes in water balance and erosion;

- c) not increase risks to human health and safety and property damage;
- d) maintain or increase the extent and function of vegetative and pervious surfaces; and
- e) promote stormwater management best practices, including stormwater attenuation and reuse.

1.6.6 Transportation Systems

- 1.6.6.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
- 1.6.6.2 Efficient use shall be made of existing and planned *infrastructure*, including the use of *transportation demand management* where feasible.
- 1.6.6.3 As part of a *multi-modal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.
- 1.6.6.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation* support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.
- 1.6.6.5 Transportation and land use considerations shall be integrated at all stages of the planning process.

1.6.7 Transportation and Infrastructure Corridors

- 1.6.7.1 Planning authorities shall plan for and protect corridors and rights-of-way for transportation, transit and *infrastructure* facilities to meet current and projected needs.
- 1.6.7.2 *Major goods movement facilities and corridors* shall be protected for the long term.
- 1.6.7.3 Planning authorities shall not permit *development in planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid or minimize negative impacts on and from the corridor and transportation facilities.

- 1.6.7.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
- 1.6.7.5 When planning for corridors and rights-of-way for significant transportation and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

1.6.8 Airports, Rail and Marine Facilities

- 1.6.8.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that: a) their long-term operation and economic role of *airports* is protected; and
- b) *airports* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants.
- 1.6.8.2 *Airports* shall be protected from incompatible land uses and development by:
- prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP, as set out on maps (as revised from time to time) that have been reviewed by Transport Canada;
 - considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - discouraging land uses which may cause a potential aviation safety hazard.

1.6.9 Waste Management

- 1.6.9.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. Planning authorities should consider the implications of development and land use patterns on waste generation, management and diversion.

Waste management systems shall be located and designed in accordance with provincial legislation and standards.

1.6.10 Energy Supply

- 1.6.10.1 Planning authorities should provide *Increased energy supply should be promoted by providing opportunities for the development of energy generation supply facilities including electricity generation facilities, to accommodate current and projected*

needs, and promote, and the use of *renewable energy systems*, and *alternative energy systems*, where feasible.

1.7 LONG-TERM ECONOMIC PROSPERITY

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development;
- b) optimizing the long-term availability and use of land, resources, *infrastructure*, and *public service facilities*;
- c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- d) encouraging a sense of place, through built form, cultural planning and promoting features that help define character, such as cultural heritage resources;
- e) promoting community investment-readiness;
- f) promoting the redevelopment of *brownfield sites*;
- g) providing for an efficient, cost-effective, reliable *multi-modal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- e) — planning so that major facilities (such as airports, transportation/transit/rail infrastructure and corridors, intermodal facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries and resource extraction activities, and *sensitive land uses* are appropriately designed, buffered and/or separated from each other to prevent *adverse effects* from odour, noise and other contaminants, and minimize risk to public health and safety;
- h) providing opportunities for sustainable tourism development;
- i) providing opportunities to support local food, and promoting the sustainability of the agri-food sector and agri-product businesses by protecting agricultural resources, and minimizing land use conflicts; and
- j) promoting energy conservation and providing opportunities for increased development of energy generation, supply and conservation, including the use of *alternative energy systems* and *renewable energy systems*;
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.

1.8 ENERGY CONSERVATION, AND AIR QUALITY AND CLIMATE CHANGE

1.8.1 Planning authorities shall support energy conservation and efficiency, and improved air quality, and climate change mitigation and 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 public transit and other ~~alternative transportation modes~~ in and between residential, employment (including commercial, industrial and institutional uses) and other areas ~~where these exist or are to be developed~~;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
- e) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and
- f) promote design and orientation which:
 1. maximizes energy efficiency and conservation, and considers ~~the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation~~;
 2. maximizes opportunities for the use of renewable energy; and
 3. takes into account the impacts of climate change; and
- g) maintain or increase vegetation within *settlement areas*, where feasible.

~~1.8.2 Increased energy supply should be promoted by providing opportunities for energy generation facilities to accommodate current and projected needs, and the use of *renewable energy systems* and *alternative energy systems*, where feasible.~~

~~1.8.3 *Alternative energy systems* and *renewable energy systems* shall be permitted in *settlement areas, rural areas* and *prime agricultural areas* in accordance with *provincial and federal requirements*. In *rural areas* and *prime agricultural areas*, these systems should be designed and constructed to minimize impacts on *agricultural operations*.~~

2.0 WISE USE AND MANAGEMENT OF RESOURCES

Ontario's long-term prosperity, environmental health, and social well-being depend on maintaining biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

Accordingly:

2.1 NATURAL HERITAGE

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*.

2.1.3 *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that considerations in planning for *natural heritage systems in settlement areas, rural areas, and prime agricultural areas* may vary.

2.1.4 *Development and site alteration* shall not be permitted in:

- ~~a) *significant habitat of endangered species and threatened species;*~~
- a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
- b) *significant coastal wetlands*.

2.1.5 *Development and site alteration* shall not be permitted in:

- a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
- b) *significant woodlands* south and east of the Canadian Shield in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- c) *significant valleylands* south and east of the Canadian Shield in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- d) *significant wildlife habitat*; and
- e) *significant areas of natural and scientific interest*; and
- f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 2.1.4 (b)

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

- 2.1.6 *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.
- 2.1.7 *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.
- 2.1.8 *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.
- 2.1.9 Nothing in policy 2.1 is intended to limit the ability of existing agricultural uses to continue.

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) identifying *surface water features*, water resource systems consisting of *ground water features, hydrologic functions, and natural heritage features and areas*, and *surface water features including shoreline areas*, which are necessary for the ecological and hydrological integrity of the *watershed*;
 - d) maintaining linkages and related functions among *surface water features, ground water features, hydrologic functions, and natural heritage features and areas*, and *surface water features including shoreline areas*;
 - e) implementing necessary restrictions on *development and site alteration* to:
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, *sensitive surface water features* and *sensitive ground water features*, and their *hydrologic functions*;
 - e) ~~maintaining linkages and related functions among *surface water features, ground water features, hydrologic functions and natural heritage features and areas*;~~

- f) ~~promoting~~ planning for efficient and sustainable use of water resources, through ~~including~~ practices for water conservation and sustaining water quality; and
- g) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

2.2.2 *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore *sensitive surface water features*, *sensitive ground water features*, and their *hydrologic functions*.

2.3 AGRICULTURE

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by *Canada Land Inventory* Classes 1, 2, and 3, and any associated Class 4 to 7 soils within the *prime agricultural area*, in this order of priority.

2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with ~~evaluation procedures established~~ guidelines developed by the Province, as amended from time to time.

2.3.3 Permitted Uses

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, ~~*secondary uses*~~, *agriculture-related uses* and *on-farm diversified uses*.

Proposed ~~new~~ ~~*secondary uses*~~ and *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives. ~~These uses shall be limited in scale, and criteria for these uses shall be included in municipal planning documents as recommend by the Province, or based on municipal approaches which achieve the same objective.~~

2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

2.3.3.3 New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the *minimum distance separation formulae*.

2.3.4 Lot Creation and Lot Adjustments

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
- c) *a residence surplus to a farming operation* as a result of farm consolidation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 2. the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the *vacant* remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

2.3.4.2 Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

2.3.4.3 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c).

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for:

- a) expansions of or identification of *settlement areas* in accordance with policy 1.1.3.8;
- b) extraction of *minerals, petroleum resources and mineral aggregate resources*, in accordance with policies 2.4 and 2.5; and
- c) limited non-residential uses, provided that:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;

3. there is a demonstrated need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and
4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

2.3.5.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands ~~should be~~ are to be mitigated to the extent feasible.

2.4 MINERALS AND PETROLEUM

2.4.1 *Minerals and petroleum resources* shall be protected for long-term use.

2.4.2 Protection of Long-Term Resource Supply

2.4.2.1 *Mineral mining operations and petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.4.2.2 ~~In areas adjacent to or in~~ known *mineral deposits*, ~~or~~ known *petroleum resources*, and ~~in significant areas of mineral potential and significant areas of petroleum potential,~~ shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

2.4.3 Rehabilitation

2.4.3.1 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

2.4.4 Extraction in Prime Agricultural Areas

2.4.4.1 Extraction of *minerals and petroleum resources* is permitted in *prime agricultural areas* provided that the site ~~is~~ will be rehabilitated.

2.5 MINERAL AGGREGATE RESOURCES

2.5.1 *Mineral aggregate resources* shall be protected for long-term use and *deposits of mineral aggregate resources* shall be identified.

2.5.2 Protection of Long-Term Resource Supply

2.5.2.1 As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social and environmental impacts.

2.5.2.3 The *conservation of mineral aggregate resources* ~~should~~ shall be undertaken, wherever feasible. ~~promoted by making provision for the recovery of these resources, wherever feasible.~~

2.5.2.4 *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. When a license for extraction or operation ceases to exist, policy 2.5.2.5 continues to apply.

2.5.2.5 In ~~areas adjacent to or in~~ known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed.

2.5.3 Rehabilitation

2.5.3.1 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of

extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

2.5.3.2 Rehabilitation in accordance with established standards may be taken into consideration in the demonstration of no *negative impacts* for purposes of policies 2.1.5 and 2.1.8 provided that:

- a) *ecological functions* will be restored, and where possible improved; and
- b) connectivity of natural features will be restored, and where possible improved.

2.5.3.3 *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.

2.5.3.4 In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

2.5.4 Extraction in Prime Agricultural Areas

2.5.4.1 In *prime agricultural areas*, on *prime agricultural land* outside of *specialty crop areas*, extraction of *mineral aggregate resources* is permitted as an interim use provided that ~~rehabilitation of the site will be carried out~~ the site will be rehabilitated back to an agricultural condition, so that substantially the same areas and same average soil *quality capability* for agriculture are restored.

In *specialty crop areas* extraction of *mineral aggregate resources* is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition, which allows for the same range and productivity of specialty crops common in the area; and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, or restored.

~~On these *prime agricultural lands*,~~ Complete agricultural rehabilitation is not required if:

- a) outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b) in a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- c) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in

areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Classes 1, 2 and 3; and agricultural rehabilitation in remaining areas is maximized.

d)

2.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

2.5.5.1 *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

2.6 CULTURAL HERITAGE AND ARCHAEOLOGY

2.6.1 *Significant built heritage resources and significant cultural heritage landscapes* shall be *conserved*.

2.6.2 *Development and site alteration* shall ~~only not~~ be permitted on lands containing *archaeological resources* or *areas of archaeological potential* ~~if the unless significant archaeological resources have been conserved. by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.~~

2.6.3 ~~Planning authorities shall not permit development and site alteration may be permitted on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.~~

~~Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.~~

2.6.4 ~~Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.~~

2.6.5 ~~Planning authorities should consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.~~

3.0 PROTECTING PUBLIC HEALTH AND SAFETY

Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or human-made hazards. Development shall generally be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Accordingly:

3.1 NATURAL HAZARDS

3.1.1 Development shall generally be directed to areas outside of:

- a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards* and/or *dynamic beach hazards*;
- b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
- c) *hazardous sites*; and
- d) *hazardous lands* associated with high to extreme risk of wildland fire.

3.1.2 *Development and site alteration* shall not be permitted within:

- a) *the dynamic beach hazard*;
- b) *defined portions of the one hundred year flood level flooding hazard along connecting channels* (the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, *development and site alteration* may be permitted in certain areas identified in policy 3.1.2: associated with the *flooding hazard along river, stream and small inland lake systems*:

- a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the site-specific policies or boundaries applying to a *Special*

Policy Area, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or

- b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) an *institutional use* associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, ~~where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;~~
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations, ~~which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion;~~ and
- c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.4, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor ~~so as to be~~ and could be ~~managed or~~ mitigated in accordance with provincial standards, ~~as determined by the demonstration and achievement of all of the following~~ *Development* and *site alteration* may be permitted if all of the following are demonstrated and achieved:

- a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

3.1.8 *Development* and *site alteration* may be permitted in *hazardous lands* associated with high to extreme risk of wildland fire where the risk is mitigated in accordance with provincial *wildland fire mitigation standards*.

3.2 HUMAN-MADE HAZARDS

- 3.2.1 Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.
- 3.2.2 Sites with contaminants in land or water shall be assessed and ~~Contaminated sites shall be~~ remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

4.0 IMPLEMENTATION AND INTERPRETATION

4.1 This Provincial Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after <DATE>. ~~applications, matters or proceedings commenced on or after March 1, 2005.~~

4.2 In accordance with ~~Section 3 of the *Planning Act*, as amended by the *Strong Communities (Planning Amendment) Act, 2004*,~~ a decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, “shall be consistent with” this Provincial Policy Statement.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government “shall be consistent with” this Provincial Policy Statement.

4.3 This Provincial Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.

4.4 This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

4.5 In implementing the Provincial Policy Statement, the Minister of Municipal Affairs and Housing may take into account other considerations when making decisions to support strong communities, a clean and healthy environment and the economic vitality of the Province.

4.6 The official plan is ~~the most an~~ important vehicle for implementation of this Provincial Policy Statement.

~~Comprehensive, integrated and long-term planning is best achieved through municipal official plans.~~ Municipal Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required. ~~Municipal Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.~~

~~Municipal Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.~~

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this

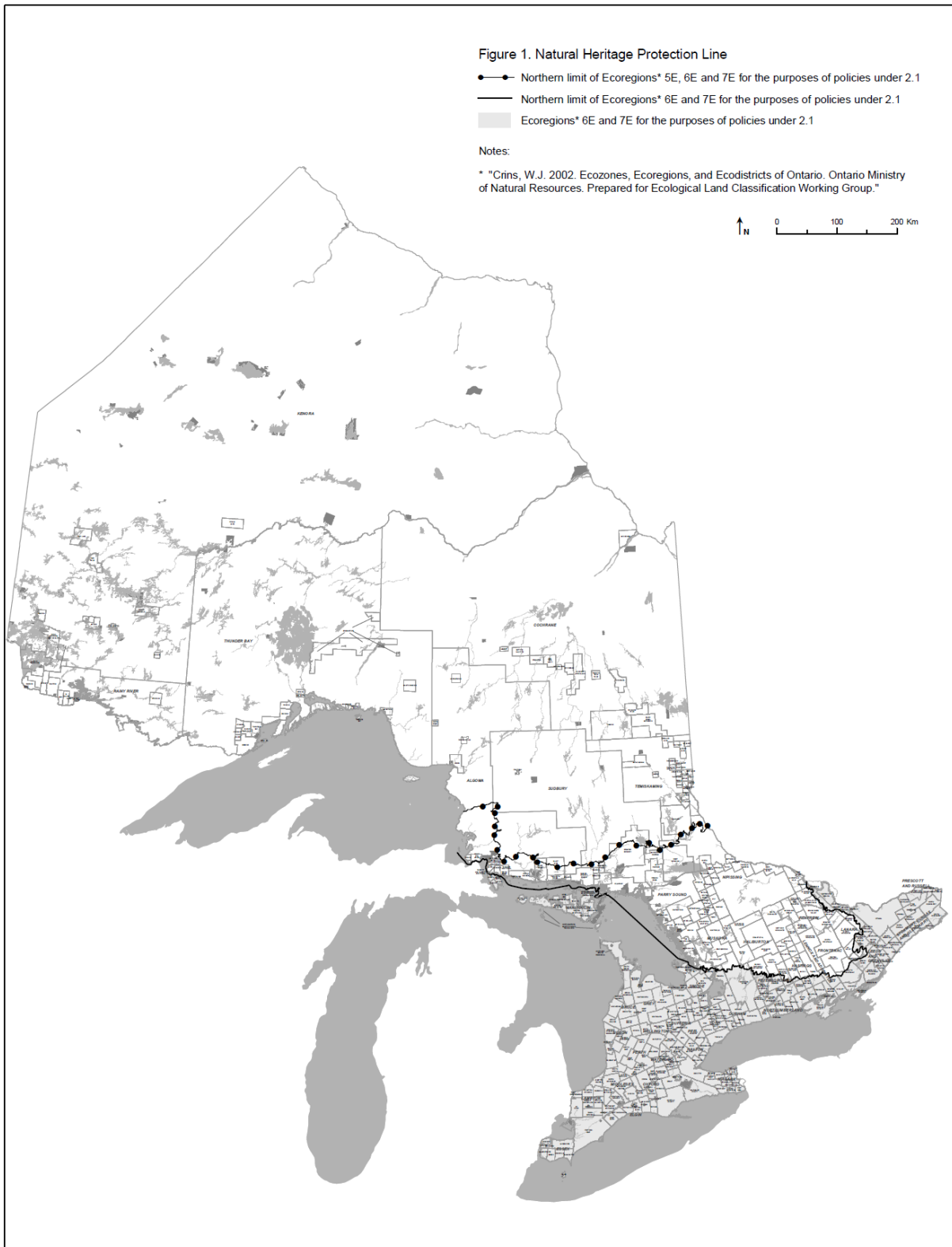
Provincial Policy Statement continue to apply after adoption and approval of an ~~municipal~~ official plan.

- 4.7 Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and with this Provincial Policy Statement.
- 4.8 The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.
- 4.9 A wide range of legislation, ~~and~~ regulations ~~and policies~~ may apply to decisions with respect to *Planning Act* applications. In some cases, a *Planning Act* proposal may also require approval under other legislation or regulation, ~~and policies issued under other legislation may also apply.~~
- 4.10 In addition to land use approvals under the *Planning Act*, *infrastructure* may also require approval under other legislation and regulations, ~~including the *Environmental Assessment Act*; the *Canadian Environmental Assessment Act, 1992*; the *Environmental Protection Act*; the *Ontario Energy Board Act, 1998*; the *Ontario Water Resources Act*; the *Conservation Authorities Act*; the *Ontario Heritage Act*; and the *Safe Drinking Water Act, 2002*.~~ An environmental assessment process may be applied to new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.
- There may be circumstances where land use approvals under the *Planning Act* may be integrated with approvals under other legislation, for example, integrating the planning processes and approvals under the *Environmental Assessment Act* and the *Planning Act*, provided the intent and requirements of both Acts are met.
- 4.11 *Provincial plans* shall be read in conjunction with the Provincial Policy Statement and generally take precedence over policies in this Provincial Policy Statement to the extent of any conflict, in accordance with relevant legislation or regulations. Examples of these are plans created under the *Niagara Escarpment Planning and Development Act*, the *Ontario Planning and Development Act, 1994*, ~~and~~ the *Oak Ridges Moraine Conservation Act, 2001*, the *Greenbelt Act, 2005* and the *Places to Grow Act, 2005*.
- 4.12 Within the Great Lakes - St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection and restoration of the Great Lakes - St. Lawrence River Basin.
- 4.13 The Province, in consultation with municipalities, other public bodies and stakeholders shall identify performance indicators for measuring the effectiveness

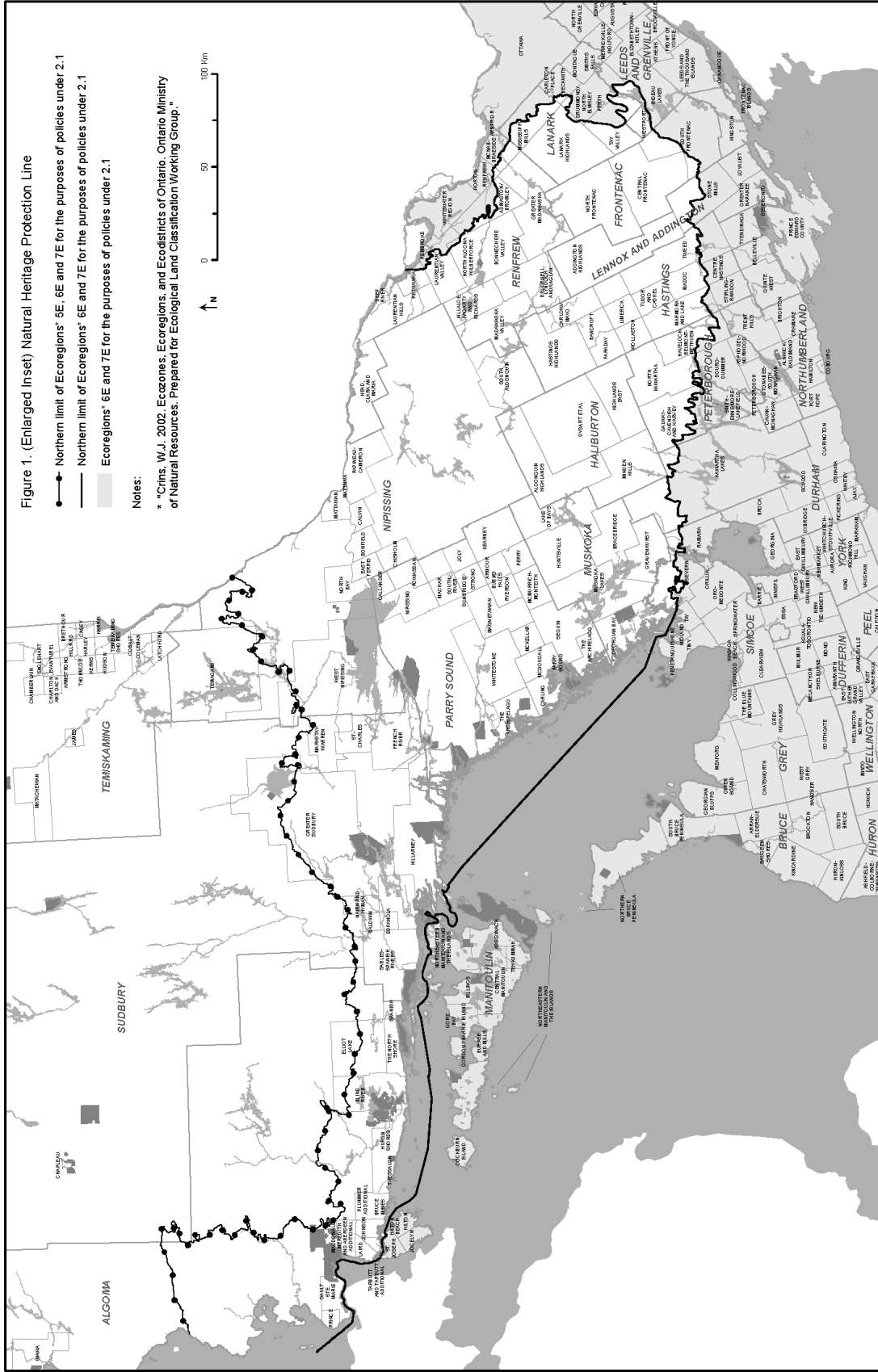
of some or all of the policies. The Province shall monitor their implementation, including reviewing performance indicators concurrent with any review of this Provincial Policy Statement.

- 4.14 Municipalities are encouraged to establish performance indicators to monitor the implementation of the policies in their official plans.

5.0 FIGURE 1²



² The maps from the 2005 PPS have been replaced by the new maps specific to the draft policies.



6.0 DEFINITIONS

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards* and/or *other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorised wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

- a) for the purposes of policy 1.6.7.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
- c) for the purposes of policy 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

Adverse effects: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

- a) in the case of ownership housing, the least expensive of:
 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;
- b) in the case of rental housing, the least expensive of:
 1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural uses: means the growing of crops, including nursery, *biomass*, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to *livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour* when the size and nature of the operation requires additional employment.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation, support agriculture, and are required in close proximity to the farm operations, and provide direct service to farm operations as an exclusive activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy systems: means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites, and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Criteria for determining Methods to identify archaeological potential 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 is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

Areas of natural and scientific interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or

earth science values related to protection, scientific study or education.

Areas of petroleum potential: means areas favourable to the discovery of petroleum resources due to geology, the presence of known petroleum resources or other technical evidence.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resources: means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community, including an Aboriginal community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions.

Coastal wetland: means

- a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Comprehensive rehabilitation: means rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations.

Comprehensive review: means

- a) for the purposes of policies 1.1.3.8 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:

1. is based on a review of population and employment growth projections and which reflect projections and allocations by upper-tier municipalities and *provincial plans*, where applicable; considers alternative directions for growth or development; and determines how best to accommodate *this growth the development* while protecting provincial interests;
 2. utilizes opportunities to accommodate projected growth or development through *intensification* and *redevelopment*; and considers physical constraints to accommodating the proposed development within existing *settlement area* boundaries;
 3. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2;
 3. is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets;
 4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
 5. confirms that sewage and water services can be provided in accordance with policy 1.6.5; and
 6. considers cross-jurisdictional issues.
- b) for the purposes of policy 1.1.5, means a review undertaken by a planning authority or comparable body which:
1. addresses long-term population projections, *infrastructure* requirements and related matters;
 2. confirms that the lands to be developed do not comprise *specialty crop areas* in accordance with policy 2.3.2; and
 3. considers cross-jurisdictional issues.

In undertaking a *comprehensive review* the level of detail of the assessment should correspond with the complexity and scale of the proposal.

Conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Conserved: means the identification, protection, use and/or management of cultural heritage and archaeological resources in *such a way* a manner that ensures their cultural heritage values, or interest attributes and integrity are retained under the *Ontario Heritage Act*. This may be addressed through a conservation plan or heritage impact assessment. This may be achieved by the implementation of recommendations sent out in a conservation plan, archaeological assessment, and/or heritage impact assessment, which may include mitigative measures and/or alternative development approaches.

Cultural heritage landscape: means a defined geographical area of heritage significance which *has may have* been modified by human activities and is valued by a community, including Aboriginal communities. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; other areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site), and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, railways and industrial complexes of cultural heritage value.

Defined portions of the one hundred year flood-flooding hazard level along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Mary's, St. Clair, Detroit,

Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: ~~for the purposes of policy 1.4.1(a),~~ means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source ~~that may be impacted by activities or events.~~

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of*

mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered species: means a species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means, services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish: means fish, which as defined in ~~S.2 of the Fisheries Act, e. F-14, as amended,~~ includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat: as defined in the *Fisheries Act*, e-F 14, means spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

Flood plain: for *river stream, and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
- b) Along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources; except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history

of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave uprush* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the **two zone concept** is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the **two zone concept** applies, the outer portion of the *flood plain* is called the *flood fringe*.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological benefits. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, urban forests, permeable surfaces, and green roofs.

Ground water feature: refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of endangered species and threatened species: means

- a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55 (1) (a) of the *Endangered Species Act, 2007* 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 at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the 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 of the species as dens, nests, hibernacula or other residences.

Hazardous lands: means

- a) property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits; and
- b) for the purposes of policies 3.1.1(d) and 3.1.8, areas assessed as being at high to extreme risk for wildland fire using evaluation procedures established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means the principal features or elements, characteristics, context and appearance that contribute to a *protected heritage property's* the cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*). ~~significance of a protected heritage property.~~

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the *Aggregate Resource Inventory Papers (ARIP)*.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services: means ~~individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97,~~ as defined in O. Reg. 350/06 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity power-generation and facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Institutional use: means land uses where there is a threat to the safe evacuation of the sick, the elderly, the physically challenged or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: for the purposes of policy 2.3.4.2, means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to *airports*, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*, ~~or successors thereto~~;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and

- including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multi-modal transportation system: means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal sewage services: means a sewage works within the meaning of *Section 1* of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of *Section 2* of the *Safe Drinking Water Act, 2002*.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas, linked by and linkages intended to provide connectivity (at the regional or site level) and support natural processes, natural corridors* which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include: *natural heritage features and areas; federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have and areas with the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue*. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 1.6.5.4 and 1.6.5.5, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;*
- b) in regard to policy 2.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;*
- c) in regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish*

habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity; and

- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means small scale uses that are secondary to the principle use of the property and help support the farm. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products from the farm operation.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;

- b) in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* and *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* and *individual on-site sewage services*.

Petroleum resource operations: means oil, gas and salt *brine* wells, and associated facilities and other drilling operations, oil field fluid *brine* disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) *brine* and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation is actively pursuing the identification of a

corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province, identified through provincial plans or preferred alignment(s) determined through the Environmental Assessment Act process which are required to meet projected needs.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and associated Canada Land Inventory Class 4–to7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture, and Food and Rural Affairs using evaluation procedures guidelines established developed by the Province as amended from time to time, or a *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land: means land that includes *specialty crop areas* and/or Canada Land Inventory Classes 1, 2, and 3 soils, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that

serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means real property designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; UNESCO World Heritage Sites; property identified by the Province and prescribed public bodies as provincial heritage property under the *Standards and Guidelines for Conservation of Provincial Heritage Properties*; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

Provincial and federal requirements: means a) in regard to policy 1.8.3, legislation and policies administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy facilities and ensuring that the necessary approvals are obtained; and

- a) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of the protection of *fish* and *fish habitat*, and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b) in regard to policy 2.1.7 legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial plan: means a provincial plan within the meaning of section 1 of the *Planning Act*, approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal official plans.

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Recreation: means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area, generally broader than a lower tier municipality, that has a high degree of social and economic interaction. In southern Ontario the upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. Where a *regional market area* extends significantly beyond upper or single tier boundaries, it may include a combination of upper, single and/or lower tier municipalities. However, where the functional *regional market area* extends significantly beyond these boundaries, then the *regional market area* will be based on the

larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy systems: means a system that generates electricity from an energy source that is renewed by natural processes including, but not limited to, wind, water, biomass, biogas, solar energy and geothermal energy.
~~means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.~~

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.5.64(e), reserve capacity for *private communal sewage services* and *individual on-site sewage services* is considered sufficient if the hauled sewage from the development can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence surplus to a farming operation: means an existing *habitable* farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of *brownfield sites*;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;

- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means lands ~~in the rural area~~ which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Secondary uses: ~~means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value added agricultural products from the farm operation on the property.~~

Sensitive: in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than

the area where development is concentrated.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) ~~in regard to the habitat of *endangered species* and *threatened species*, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered species* or *threatened species*, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;~~
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources.
- c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d) in regard to *mineral potential*, ~~means~~ an area identified as provincially significant through ~~comprehensive studies prepared using~~ evaluation procedures ~~established~~ developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

e) in regard to potential for *petroleum resources*, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established developed by the Province, as amended from time to time; and

e) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(e) (e)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for seniors with special needs the elderly.

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to

provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas designated using evaluation procedures guidelines developed established by the Province, as amended from time to time; In these areas, where specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- a combination of farmers skilled in the production of specialty crops, and of capital investment in; and
- a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Surface water feature: refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Transit-supportive: in regard to land use patterns, means development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of

employment and residential densities. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation systems: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, ~~rail facilities~~ *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, ~~intermodal terminals~~ *intermodal facilities*, harbours, ~~airports~~ *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: For *river, stream and small inland lake systems*, the *floodway* is the portion of the *flood plain* where *development and site alteration* would cause a danger to public health and safety or property damage. Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and ground water that can be easily changed or impacted by ~~activities or events~~, either by virtue of their vicinity to ~~such~~ activities or events or by permissive pathways between ~~such~~ activities and the surface and/or ground water.

Waste management system: means sites and facilities to accommodate solid-waste from one or more municipalities and includes ~~landfill~~

~~sites~~, recycling facilities, transfer stations, processing sites and ~~disposal sites~~ *hazardous waste depots*.

Watershed: means an area that is drained by a river and its tributaries.

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire mitigation standards: means the combination of risk assessment tools and mitigation measures identified by the Province, as amended from time to time, to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fires.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest".