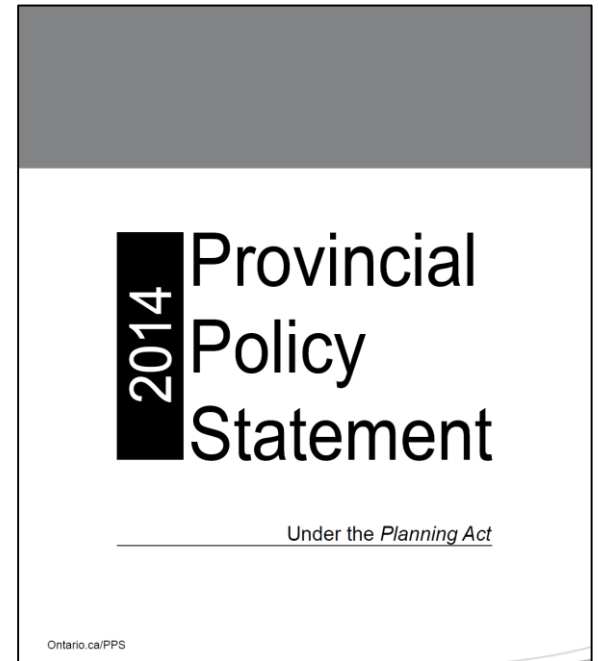


Provincial Policy Statement Review – City of Hamilton Comments

October 1, 2019
(PED19188)

Revisions to Provincial Policy Statement (PPS)

- On July 22, 2019, the Province released a revised Provincial Policy Statement (PPS) on the Environmental Registry of Ontario for review and comment.
- The deadline for comments is October 21, 2019.



What is the PPS?

The PPS is a statement of provincial policies which addresses:

- Efficient use of land and infrastructure;
- Housing supply, including affordable housing;
- Protection of the environment, resources and agricultural lands;
- Job creation and economic development;
- Transportation and servicing infrastructure; and,
- Natural and human-made hazards.

The *Planning Act* requires that all decisions on land use planning matters be “consistent with” the PPS.

City of Hamilton context

- The PPS provides overall policy direction in the province, but in some geographies, other provincial plans also apply.
- Hamilton is also subject to the policies of the Growth Plan, Greenbelt Plan and Niagara Escarpment Plan.
- Where the PPS and the other Plans address similar matters, the policies of the more specific provincial Plan are to be followed.
- In Hamilton, some of the matters being introduced through the revised PPS were already introduced through the Growth Plan 2019 (eg. employment land conversion, urban area expansion).



General Comments

This presentation will highlight staff's key areas of concern related to the revised PPS:

- “Market-based” approach to housing supply;
- Need for stronger policy direction on climate change;
- A shift in policy language from “shall” to “should”;
- Revisions to rural servicing policies;
- Implementation concerns; and,
- Need for guidance material on a number of topics.

“Market-based” need and demand for housing supply

- New emphasis on provision of a market-based range of housing supply and linking market demand with justification for settlement boundary expansion;
- Not clear how “market-based need” and “market demand” are defined;
- Determining market need and demand could be a subjective process;
- Impact on calculation of future land need is uncertain.

“Market-based” need and demand for housing supply

Staff recommendations:

1. Staff do not support the proposed policy direction which emphasizes the provision of a market-based supply of housing, and further, connects the justification for a settlement area boundary expansion to the satisfaction of market demand.
2. Staff suggest that the Province provide guidance and clarification on the meaning of “market-based need” and “market demand”, including a methodology for how these terms will be calculated.

Climate change

- New references throughout the policies to the need to prepare for “impacts of a changing climate” in relation to land use patterns, infrastructure planning, stormwater management, watershed planning and hazard planning.
- Staff support the added emphasis on the need to respond to impacts of climate change, but note that there are no policies in the document which speak to the need to take measures now to prevent or avoid climate change.

Climate change

Staff recommendations:

1. Additional wording / policies be added to recognize the reality of climate change and the need for immediate action at the provincial and local level.
2. Revise policies that are currently only addressing the “impacts of a changing climate” to also address the need for actions to prevent climate change.

Climate change

New definition of “Impacts of a changing climate”:

“means the potential for present and future consequences and opportunities from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability”

Staff recommendation:

1. Amend the definition of “impacts of a changing climate” to remove the reference to “potential for” and the words “and opportunities” which appear to downplay the significance of climate change which is already occurring.

“Shall to should”

- There are several policies which have been modified through a change in the direction from “shall” to “should”.
- In planning policy, the difference between a ‘shall’ direction and a ‘should’ direction is significant, as ‘shall’ represents a mandatory requirement while ‘should’ represents an encouragement.

“Shall to should”

Examples of the change from “shall” to “should”:

- “1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and ~~shall~~**should** have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.”

- “1.6.7.2 Efficient use ~~shall~~**should** be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.”

“Shall to should”

Staff recommendation:

1. Staff do not support the revision to policies 1.1.3.6 (built form), 1.1.3.7 (phasing) and 1.6.7.2 (transportation infrastructure) which change the policy direction from “shall” to “should”. The previous wording should be maintained.

Rural Servicing

Changes are proposed to servicing policies for rural areas without municipal services:

- Revised policy directs that private communal services, rather than individual on-site services, are the preferred form of servicing for multi-lot / unit development.
- This approach is contrary to current direction of the Rural Hamilton Official Plan which does not support the use of communal services due to financial risk to the City should they fail.

Rural Servicing

Staff recommendation:

1. Staff do not support revised policy 1.6.6.3 which identifies private communal servicing as the preferred form of servicing where municipal services are not available. The previous wording should be maintained.

Implementation concerns

A new policy has been added which directs municipalities to streamline certain planning approvals:

“4.7 Planning authorities shall take action to support increased housing supply and facilitate a timely and streamlined process for local development by:

- a) identifying and fast-tracking priority applications which support housing and job-related growth and development; and
- b) reducing the time needed to process residential and priority applications to the extent practical.”

Implementation concerns

- Staff does not support the inclusion of this policy which directs the municipality on how to utilize its resources.
- City already follows an open-for-business approach.
- It would be very difficult to determine which applications are “priority”.

Staff recommendation:

1. Staff do not support proposed policy 4.7 and suggest this policy should be removed.

Implementation concerns

Policy 4.9 has been deleted as a policy from section 4 (Implementation) and is now found only in Part III in the preamble to the PPS:

“4.9 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.”

Staff recommendation:

1. Staff do not support the removal of policy 4.9. This policy should be maintained in its current position.

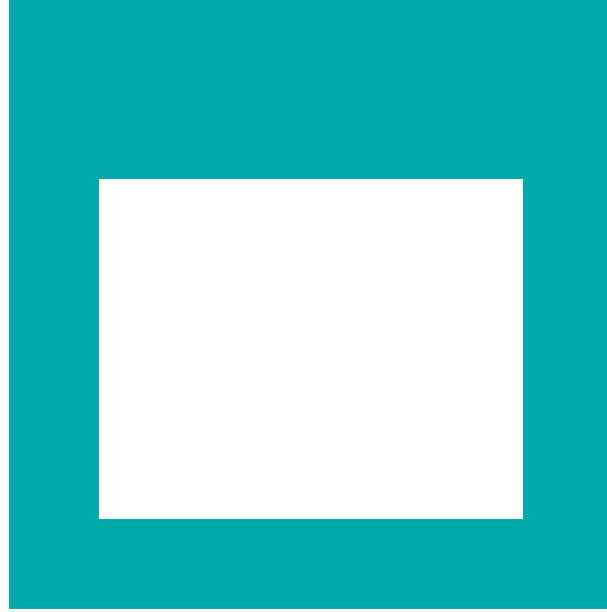
Implementation concerns

Staff suggest that new or updated guidance material be provided on a number of topics, including:

- Guidance on the type, level and expectations of engagement with Indigenous Communities
- Updated Ministry of Environment, Conservation and Parks D-series guidelines on land use compatibility and water/wastewater servicing
- Guidance on the requirement to review long term impacts of individual private services at the Official Plan review

ERO Postings

- Comments on the ERO Postings are due to the Province on October 21, 2019.
- The Staff report, including any changes requested by Council, will be submitted as the City's formal comments.



THANK YOU FOR ATTENDING

THE CITY OF HAMILTON PLANNING COMMITTEE