

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides direction on the considerations that a municipality must undertake prior to expanding a settlement area (urban area) boundary:

“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 to accommodate growth and to satisfy market demand 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*;
- 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 undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.”

The PPS requires municipalities to assess availability of infrastructure and public service facilities including financial viability, and impacts on agricultural lands, prior to expansion of the urban boundary.

Growth Plan 2019, as amended

The Growth Plan identifies a series of comprehensive criteria that must be considered prior to expansion of the urban boundary:

“2.2.8.2 A *settlement area* boundary expansion may only occur through a *municipal comprehensive review* where it is demonstrated that:

- a) based on the minimum intensification and density targets in this Plan and a land needs assessment undertaken in accordance with policy 2.2.1.5, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through *intensification* and in the *designated greenfield area*:
 - i. within the upper- or single-tier municipality, and
 - ii. within the applicable lower-tier municipality;
- b) the proposed expansion will make available sufficient lands not exceeding the horizon of this Plan, based on the analysis provided for in policy 2.2.8.2 a), while minimizing land consumption; and
- c) the timing of the proposed expansion and the phasing of development within the *designated greenfield area* will not adversely affect the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan.”

2.2.8.3. Where the need for a *settlement area* boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the comprehensive application of all of the policies in this Plan, including the following:

- a) there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
- b) the *infrastructure* and *public service facilities* needed would be financially viable over the full life cycle of these assets;
- c) the proposed expansion would be informed by applicable water and wastewater master plans or equivalent and *stormwater master plans* or equivalent, as appropriate;
- d) the proposed expansion, including the associated water, wastewater and stormwater servicing, would be planned and demonstrated to avoid, or if

avoidance is not possible, minimize and mitigate any potential negative impacts on watershed conditions and the *water resource system*, including the *quality and quantity of water*,

- e) *key hydrologic areas* and the *Natural Heritage System for the Growth Plan* should be avoided where possible;
- f) *prime agricultural areas* should be avoided where possible. To support the *Agricultural System*, alternative locations across the upper-or single-tier municipality will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating the impact on the *Agricultural System* and in accordance with the following:
 - i. expansion into *specialty crop areas* is prohibited;
 - ii. reasonable alternatives that avoid *prime agricultural areas* are evaluated; and
 - iii. where *prime agricultural areas* cannot be avoided, lower priority agricultural lands are used;
- g) the *settlement area* to be expanded is in compliance with the *minimum distance separation formulae*;
- h) any adverse impacts on the *agri-food network*, including agricultural operations, from expanding *settlement areas* would be avoided, or if avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment*;
- i) the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied;
- j) the proposed expansion would meet any applicable requirements of the Greenbelt, Oak Ridges Moraine Conservation, Niagara Escarpment, and Lake Simcoe Protection Plans and any applicable source protection plan; and
- k) within the Protected Countryside in the *Greenbelt Area*:
 - i. the *settlement area* to be expanded is identified in the Greenbelt Plan as a Town/Village;
 - ii. the proposed expansion would be modest in size, representing no more than a 5 per cent increase in the geographic size of the *settlement area* based on the *settlement area* boundary delineated in the applicable official plan as of July 1, 2017, up to a maximum size of 10 hectares, and residential *development* would not be permitted on

more than 50 per cent of the lands that would be added to the *settlement area*;

- iii. the proposed expansion would support the achievement of *complete communities* or the local agricultural economy;
- iv. the proposed uses cannot be reasonably accommodated within the existing *settlement area* boundary;
- v. the proposed expansion would be serviced by existing *municipal water and wastewater systems* without impacting future *intensification* opportunities in the existing *settlement area*; and
- vi. expansion into the Natural Heritage System that has been identified in the Greenbelt Plan is prohibited.”

The criteria identified in the Growth Plan requires a municipality to consider a wide range of potential impacts of urban boundary expansion including servicing, financial viability, watershed planning and protection of the natural heritage system, and impacts on the agricultural system, amongst other matters. The draft Urban Boundary Expansion - Evaluation and Phasing Criteria (Whitebelt Lands), attached as Appendix “A” to Report PED17010(j), has been designed to ensure compliance with the above noted matters. Analysis of how each component above has been addressed can be found in the Analysis and Rationale for Recommendation section of this Report. Special consideration to policy 2.2.8.3(k) regarding small expansion into the Greenbelt Protected Countryside is also included in this Report, and the draft Screening Criteria and Evaluation Tool (Waterdown and Binbrook), attached as Appendix “B” to Report PED17010(j) responds to the policy direction above.

Urban Hamilton Official Plan (UHOP)

The Urban Hamilton Official Plan contains policies regarding urban boundary expansion and, specifically, the studies and criteria that must be considered prior to the City expanding its urban boundary. Note that all policies cited below remain under appeal, and policies noted in bold or strikethrough are the subject of Ministry modifications to the UHOP.

- ~~B.2.2.22.2.1~~** The exact limits of the lands to be included as part of the *urban boundary* expansion shall be determined as part of a *municipally initiated comprehensive review* and secondary plan.
- ~~B.2.2.32.2.2~~** No *urban boundary* expansion shall occur until a *municipally initiated comprehensive review* and secondary plan have been completed.
- ~~B.2.2.42.2.3~~** Prior to the initiation of an *urban boundary* expansion, the City shall undertake a *municipally initiated comprehensive review* and secondary

plan, in accordance with the policies of the Growth Plan for the Greater Golden Horseshoe. As part of these processes, the City shall complete background studies and conduct community planning and public consultation events including the establishment of a community liaison committee. The background studies and consultation processes shall assist in identifying the layout of future land uses, determining more precise needs, land supply and infrastructure requirements, and development of community growth management policies and designations. More specifically, a *municipally initiated comprehensive review* and secondary plan shall include the following elements:

- a) a comprehensive review and land budget analysis is required to determine the need for an *urban boundary* expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and *intensification* targets **to determine if sufficient opportunities to accommodate forecasted growth contained in Policy A.2.3.1 and Policy A.2.3.2 are not available [Mod 4(b)]**;
- b) a *sub-watershed plan* to address storm water infrastructure and natural heritage system impacts, in accordance with Section F.3.1.6 – Watershed and Sub-watershed Plans;
- c) Environmental Impact Statement(s) pertaining to the natural heritage system, as required by applicable Official Plan and provincial policies;
- d) ~~an assessment of agricultural capability which considers directing urban growth onto those lands which are or are not on lower priority lands, which are designated Agriculture in prime agricultural areas, the lands do not comprise specialty crop areas, there are no reasonable alternatives that avoid prime agricultural areas and there are no reasonable alternatives on agricultural lands [Mod 4(c)]~~;
- e) demonstrating that impacts from new or expanding *urban areas* on agricultural operations which are adjacent or close to the *urban areas* are mitigated to the extent feasible; and,
 - i) the designation of appropriate land uses and policies pertaining to the design and density of such uses;
 - ii) completion of Class Environmental Assessments for major urban servicing infrastructure deemed to be essential for commencement or completion of *development* of all or part of the lands; and,

iii) an urban *development* staging, phasing or implementation strategy in keeping with City-wide master plan priorities and secondary plan objectives.

iv) the timing of the urban boundary expansion and the phasing of development within the greenfield areas shall not adversely affect the of the residential intensification target and Greenfield density targets [Mod 4(d)].

f) completion of a financing policy for urban services and other community infrastructure; and,

g) other studies and policies which the City deems necessary for the development of the future urban growth district as a sustainable transit oriented urban community.

h) the *urban boundary expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy ~~B.2.2.4 a) B.2.2.3 a) [Mod 4 (e)]~~*

The UHOP criteria identifies the need to address similar matters as those identified in the Growth Plan, to be completed as part of a secondary plan and municipally initiated comprehensive review, including the completion of a land needs assessment, sub-watershed plan and environmental impact study, agricultural impact assessment and financing policy. These matters are addressed in the draft Urban Boundary Expansion - Evaluation and Phasing Criteria (Whitebelt Lands) attached as Appendix “A” to Report PED17010(j).