

City of Hamilton Comments on Proposed Provincial Policy Statement	
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Chapter 1: Introduction	
<u>Overall Comments</u>	
<p>There is fundamental concern with the movement away from a Provincial Policy Statement combined with a detailed Growth Plan for the Greater Golden Horseshoe (Growth Plan), to the proposed Provincial Planning Statement (PPS). While one document may be administratively easier to utilize, the new PPS is inadequate as a replacement for the combined PPS and GGH GP as explained further below.</p> <p>The Growth Plan and the existing PPS work together to provide fundamental guidance and requirements for building complete communities in Ontario, particularly in the highly populated and growing GGH. A solution here may be not to eliminate the Growth Plan but to develop detailed and customized Growth Plans for additional ‘fast growing urban areas’ outside of the Greater Golden Horseshoe that are listed in Schedule 1 of the proposed new PPS. This is an option as the other growth plans could be created under that legislation. This is a pathway that could be considered.</p> <p>These proposed changes are disastrous as they would eliminate intentional, structured and, in some instances, required actions designed to build complete and subsequently more climate resilient communities. The Growth Plan was also meant to work in tandem with a strong Greenbelt Plan (designed also to build up local food security, protect rural open spaces and natural areas that enable ‘natural attenuation’, provide habitat and help in many other ways with climate resilience). Based on the proposed changes within this document, there is concern changes will be proposed to the Greenbelt Plan which further threaten the protection of our natural areas and prime agricultural land,.</p> <p>Currently, the Growth Plan for the Greater Golden Horseshoe (Growth Plan) requires that municipal Official Plans and planning decisions “conform” to it. With the consolidation of the Growth Plan policies into the proposed Provincial Planning Statement (PPS), municipal Official Plans and planning decisions now must be “consistent with” those policies – a less strict test. It is also stated that the PPS represents minimum standards and that municipalities can go beyond these minimums as long as municipalities do not conflict with any PPS policy. The City is supportive of having flexibility to establish growth policies based on local conditions, goals, priorities, and values. however policies related to creating climate resilient communities, protecting our natural heritage systems and negating potential risks to public health and safety shall not have any flexibility.</p> <p>Another significant concern is that the proposed PPS does not carry forward specific policies and requirements of the Growth Plan including minimum intensification targets, employment land protections, enhanced settlement boundary expansion requirements as well as detailed policies that support urban growth centres, public infrastructure, natural heritage systems and transit planning among others.</p>	

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	<p>Since Natural Heritage policies have not yet been included within the PPS, it is unclear if the protection of Environmentally Significant Areas will conflict with PPS policy. In addition, to provide further clarity and authority, it is recommended that this concept be included as a policy in Chapter 6 (Implementation). This would be like the approach provided in the 2014 PPS.</p> <p>There is no longer a Section 1.7 that speaks to Long-Term Economic Prosperity and the role of optimizing land, resources, infrastructure and public service facilities; heritage conservation, redevelopment of existing building stock; energy conservation; among others, in supporting it. There needs to be a policy connection that ties good planning with economic prosperity.</p> <p>At the time of writing these comments the Province has not proposed any changes to the Greenbelt Plan. However, the Growth Plan is referenced throughout the Greenbelt Plan with certain Growth Plan policies being applied. Should the proposed PPS come into effect, the Greenbelt Plan will need to be updated to remove reference to the Growth Plan and update reference to the corresponding policies of the new PPS, if still applicable.</p> <p><u>Proposed Vision</u></p> <p>In the current PPS, it is stated in the vision that <i>“the Province <u>must</u> ensure that its resources are managed in a sustainable way to conserve biodiversity, protect essential ecological processes and public health and safety, provide for the production of food and fauna, minimize environmental and social impacts, provide for recreational opportunities (e.g., fishing, hunting and hiking) and meets its long term needs”</i>. The City of Hamilton has concerns with the language in the proposed vision being softened to “encourage”. In addition, the concepts of biodiversity and protection of ecological processes have been removed. This does not recognize the importance of the natural environment in building healthy, livable, and safe communities or commitments made through other Provincial initiatives (i.e., Ontario Biodiversity Strategy). The City is not supportive of this change since it does not recognize the value of the natural environment, even though, it has been identified as a matter of Provincial Interest.</p> <p>The proposed vision indicates that the Province, planning authorities, and conservation authorities will need to work together. With changes associated with Bill 23, the role of the Conservation Authority in planning matters has been diminished. This statement does not adequately reflect these changes.</p> <p>There is no longer a recognition on the value of cultural heritage in the overall Vision. The importance and value of cultural heritage in creating great communities is more than just providing a sense of place, it provides environmental, economic and social benefits to communities and needs to be recognized in the vision although it is noted policies are still included under “Wise Management of Resources” section in Chapter 4.</p>
Chapter 2: Building Homes, Sustaining Strong and Competitive Communities	
	<p>There is very little mention of the environment or climate change as it relates to development in Chapter 2 of the proposed PPS. It appears that the proposed PPS is purporting that despite the</p>

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<p>sweeping changes proposed, “Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.” It is debatable what a “high standard of living and exceptional quality of life” must reflect climate change and how municipalities respond to the potential impacts of climate change.</p> <p>The information for Natural Heritage has not yet been provided, which indicates that there will be changes. Natural Heritage planning is intrinsically linked to Provincial planning policy, this information should have been provided with this draft of the PPS to understand the implications.</p>	
2.1 Planning for People and Homes	
<ol style="list-style-type: none"> 1. At the time of each official plan update, sufficient land must be available for the projected needs for <u>at least</u> 25 years (instead of “up to”). Planning for infrastructure, public service facilities, <i>strategic growth areas</i> and <i>employment areas</i> may extend beyond this time horizon. 2. Where the Minister has made a zoning order, the resulting development must be in addition to the projected needs over the planning horizon established in the official plan and the additional growth must be incorporated into the next official plan and related infrastructure plans. 	<ol style="list-style-type: none"> 2. The added policy language which states development resulting from a Minister’s Zoning Orders (MZO) shall be in addition to the projected growth needs established in an Official Plan is extremely concerning for allowing a municipality to plan for growth appropriately through a meaningful evaluation of local needs. A Minister’s Zoning order which permits growth not previously anticipated through official plan policies and related infrastructure plans will trigger the need to make additional unanticipated updates to plans and programs and will have implications for City budgets and workplans as well as unintended impacts on infrastructure capacity in areas not included within an MZO. <p>This policy change has the potential to undermine or negate policies designed to achieve both the City’s and Province’s planning objectives, most notably achieving greater levels of intensification to prevent the need for further boundary expansion and protecting critical natural heritage systems. The ability for development resulting from an MZO to exceed projected needs established in an official plan will also lead to public distrust as there will be no certainty in what level of growth and development can be expected in their neighbourhood.</p> <p>The proposed approach does not help build complete communities, ensure affordable and deeply affordable housing options are increased, ensure residential development occurs in locations where people can easily live/work/play or</p>

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	<p>encourage the use of public transit and active transportation.</p> <p>It is unclear what factors are considered by the Province when issuing an MZO. The Province should be required to comply with the criteria for supporting a complete community outlined in policy 2.1.4 of the proposed PPS when considering issuing an MZO</p> <p>There is a fundamental concern with the ‘lock-in’ of land requirements that a policy shift like this enables, given that it is coupled with the removal of any serious requirement to intensify within existing built-up areas or within existing planned greenfield lands. This proposed approach will lead to geographic expansion of urban areas and will make it more challenging for municipalities to meet their greenhouse gas emission targets over time as a result.</p> <p>This change raises the question of whether the provincial government has shifted away from its stated commitment to only pursue MZOs requested by municipalities?</p> <p>1. The City of Hamilton does not have significant comments related to the proposed change in Planning horizon from “up to” 25 years to “at least” 25 years with respect to infrastructure and non-linear fixed assets and facilities. However, with respect to land use designations, and in particular land needs and urban boundaries, as the time horizon extends, there is greater risk and uncertainty. Furthermore, there is no cap on the time period under the proposed “at least” wording which, while intended to create flexibility will result in uncertainty when assessing land needs.</p>
<p>Replaces the criteria for sustaining healthy, liveable and safe communities (previous policy 1.1.1) with new criteria to promote the achievement of complete communities.</p>	<p>The current PPS has strong policy language to direct intensification to create compact built forms that make efficient use of land. This policy framework enables cost effective development patterns which optimize infrastructure, services and transit promotes the conservation of natural heritage systems and helps in</p>

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	<p>preparing for the regional and local impacts of a changing climate.</p> <p>This policy change significantly weakens the existing Provincial direction to encourage greater levels of intensification and provides more flexibility for outward growth which could lead to the need for further boundary expansion.</p> <p>While the City understands the importance of growth to address the current housing supply crisis, this can be accommodated in existing areas identified for growth and intensification without undermining other provincial interests and public health and safety.</p> <p>The statement – <i>“avoiding development and land use patterns which may cause environmental or public health and safety concerns”</i>, should be added back into the consideration of complete communities.</p> <p>The increased focus on achieving complete communities without supplementary policy direction for residential intensification, responding to the impacts of a changing climate and conservation of biodiversity is of concern.</p> <p>In addition, the removal of strong policy direction for compact built forms may result in an increase in the development of low density residential uses. These uses alone will not enable an efficient use of services and facilities. As such, the achievement a complete community, especially in areas that have not been contemplated for this type and / or level of growth, will require significantly more resources to provide the necessary services and facilities to align with the proposed PPS.</p> <p>A higher level of secondary planning may need to be completed to ensure there are sufficient lands planned for schools, open spaces and other facilities which contribute to a complete community.</p>
Other wording changes as outlined in PPS Comparison .	All references to residential intensification have been removed from the proposed policies. This de-emphasizes the importance of intensification as an

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	important way to accommodate growth in a sustainable manner.
2.2 Housing	
<p>Revises policy 2.2.1 (previously 1.4.3) to remove minimum targets for market based and affordable housing and expand residential intensification to include the conversion of existing commercial and institutional buildings for residential use.</p> <p>In addition, removes specific direction to facilitate compact form to minimize the cost of housing and make efficient use of land.</p>	<p>While there is still policy direction to plan for a full range of housing options including housing affordably needs, the City of Hamilton is concerned about the proposed removal of minimum targets for the provision of housing that is affordable to low and moderate income households.</p> <p>Currently the Urban Hamilton Official Plan includes policies related to targets for affordable housing. UHOP Policy B.3.2.2. states that to meet the housing targets for housing affordable for low and moderate income households. Given the existing housing crisis, staff question the rationale for removing these minimum targets. This policy change is not supported by the the City of Hamilton.</p> <p>The proposed PPS removes direction to minimize the cost of housing, facilitate compact built form and plan for development where appropriate levels of infrastructure, public service facilities and transit are available. This policy change conflicts with the direction to promote the creation of complete communities and may have the effect of encouraging outward growth where services cannot be optimized.</p> <p>The proposed PPS removes policy 1.4.3 f) which permits establishing development standards for residential intensification, redevelopment and new residential development to minimize the cost of housing and facilitate compact built form. The Urban Hamilton Official Plan contains policies for evaluating residential intensification developments within the built up area. These policies look at items like transition in scale, compatibility of various nuisance effects, conservation of cultural heritage resources, infrastructure and transportation capacity. It is unclear if this change will require the City of Hamilton to remove these policies from the UHOP. This may have the effect of changing the submission requirements for <i>Planning Act</i> applications for infill developments for residential intensification. These are important considerations for</p>

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	<p>ensuring residential intensification is developed appropriately and has regard for public health and safety. The City of Hamilton is not supportive of this proposed policy change.</p> <p>Staff note reference to brownfield sites in reference to intensification has been replaced with conversion of existing commercial and institutional buildings for residential use. This change appears to align with policy direction that allows industrial, manufacturing and small scale warehousing to be located adjacent to sensitive land uses without adverse effects in strategic growth areas and other mixed use areas (proposed policy 2.8.1.2) which is further discussed in the Employment Policies of the proposed PPS.</p> <p>The proposed PPS proposes to replace the term <i>special needs requirement</i> with <i>additional needs housing</i>. The language of the definition has not changed, therefore the City does not have any comments related to this change.</p> <p>It is unclear how the requirement to coordinate land use planning and planning for housing with Service Managers will be operationalized.</p>
2.3 Settlement Areas and Settlement Area Boundary Expansions	
<p>Revises Policy 2.3.1 (previously 1.1.3.1) to provide that within settlement areas, growth should be focused in strategic growth areas, including major transit station areas.</p>	<p>This proposed policy directs that within settlement areas, growth should be focused in strategic growth areas, where applicable. The inclusion of “where applicable” provides more flexibility in this policy than previously through 2.2.1.2 c) of the Growth Plan, as it is meant to apply to all municipalities, however only large and fast growing municipalities are required to identify strategic growth areas.</p> <p>Growth within strategic growth areas including around Major Transit Station Areas (MTSAs) is important especially if the outcome is transit-oriented development and complete communities. The City of Hamilton generally supports identification of strategic growth areas in other suitable locations that can accommodate complete communities and make efficient use of land and public service facilities.</p>

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<p>2.3.2 (replaces 1.1.3.2) removes “shall” and replaces with “should”</p>	<p>Land use patterns within settlement areas are no longer strictly required to be based on the prescribed criteria. The inclusion of “should” vs “shall” indicates that the criteria are guidance only, and land use patterns are not required to meet these criteria in all circumstances.</p> <p>The policy also removes reference to consideration of minimizing the negative impacts to air quality and climate change and promotion of energy efficiency through development. Reference to preparing for the impacts of a changing climate has also been removed.</p> <p>The City of Hamilton has declared a Climate Emergency and is committed to undertaking work to mitigate and adapt to climate change and its impacts. Removal of reference to climate change considerations through land use and development patterns may undermine the efforts of the City to achieve its climate change goals.</p> <p>Preparing for the impacts of a changing climate is imperative in ensuring public safety and reducing hazards in the event of extreme weather.</p> <p>Removal of preparing for the impacts of a changing climate from the determination of land use patterns may result in harm to the public through development in inappropriate locations.</p>
<p>Adds policy 2.3.3 to encourage intensification and redevelopment to support the achievement of complete communities by planning for a range and mix of housing options and prioritizing planning and investment in infrastructure and public service facilities.</p>	<p>This policy replaces more detailed policies that “Planning authorities shall support intensification and redevelopment to support the achievement of complete communities....”. While the policy still speaks to many of the major policy themes in the PPS, it has been weakened by replacing the word ‘shall’ with ‘should’ suggests that these requirements are optional.</p> <p>It is unclear why this policy is worded to include a should statement and “general intensification”. The policy should be revised to provide clear direction in policy should be provided with respect to planning for complete communities through intensification.</p>

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Removes previous policies 1.1.3.3 to 1.1.3.7	<p>The deletion of 1.1.3.3 removes the requirement for municipalities to plan for growth in locations that support transit and have sufficient existing and planned infrastructure and public service facilities. The UHOP already identifies corridors for development that will support existing and future transit through the urban structure.</p> <p>Additional deletions in this section include removal of development of appropriate standards to mitigate risks to public health and safety, removal of encouraging growth within existing building stock, removal of minimum targets for intensification, removing the requirement for development in growth areas to be adjacent to the built up area, and removal of policies that implement an orderly progression of development.</p> <p>The City does not support the removal of policies related to requiring growth areas to be adjacent to the existing built up area, phasing of development within growth areas to ensure orderly provision of infrastructure and public service facilities and requiring that settlement expansion occur only where growth targets for intensification and redevelopment have been achieved. The policies removed include important elements to emphasize in order to effectively facilitate urban intensification for the effective creation of complete communities.</p> <p>The deletion of policies 1.1.3.3 to 1.1.3.7 limits municipality’s ability to appropriately manage and plan for growth is supported by the City.</p>
<p>Revises policy 2.3.4 (previously 1.1.3.8 and 1.1.3.9) to remove the requirement for municipal comprehensive review and allow settlement area expansions to be considered at any time provided the prescribed criteria is met.</p> <p>The criteria previously prescribed in the PPS, 2020 and Growth Plan has been scoped and identifies an agricultural impact assessment could</p>	<p>The deletion of policy 1.1.3.8 removes the process of considering a settlement area boundary expansion through a municipal comprehensive review.</p> <p>In its place, the proposed PPS states municipalities should consider certain (revised) criteria for expanding a settlement area.</p> <p>There is no requirement to “demonstrate” that there is not enough land in the existing settlement area to accommodate development, or any of the other previous criteria under the former 1.1.3.8.</p>

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<p>be submitted if the expansion may impact agricultural lands and operations.</p>	<p>The removal or the requirement for demonstration of need does not support the efficient use of land through infill and intensification first, nor does it support the efficient use of existing municipal infrastructure and public services. There is no link in the criteria to any land needs assessment or other tool to allow expansions only to the extent they are needed to accommodate growth.</p> <p>These proposed changes eliminate the ability of municipalities to effectively plan for orderly and comprehensive land use planning over time. These revisions remove the elements that enable a more orderly approach to land use planning across the Greater Golden Horseshoe and protect prime agricultural land across Ontario.</p> <p>Staff are concerned that the new criteria to allow Urban Expansion requests for areas that may not be needed to meet growth targets, may not be financially viable or allow for the protection of the environment and public health and safety.</p> <p>The City of Hamilton is not supportive of the proposed deletion of this policy.</p>
<p>Adds policy 2.3.5 which encourages <i>Large and fast-growing municipalities</i> to plan for minimum density targets for new settlement areas or settlement area expansions of 50 residents and jobs per hectare.</p>	<p>The City of Hamilton is identified as a “large and fast-growing municipality”. The City has significant concerns with the policy changes which provide added flexibility for permitting new settlement areas and settlement area expansions.</p> <p>Staff have no concerns with the proposed minimum density targets for new settlement areas or settlement area expansions but the 50 residents and jobs per hectare is significantly lower than the current UHOP target of 70 residents and jobs per hectare.</p> <p>The City of Hamilton recommends that the proposed PPS require (instead of encourage) a minimum greenfield density. The use of “encourage” wording opens the door for lower greenfield densities which in turn results in pressure for additional urban boundary expansions to accommodate future growth.</p>

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	In addition, to achieve the proposed PPS objectives related to intensification, climate change, efficient use of infrastructure etc., the City of Hamilton recommends that Section 2.3 of the proposed PPS include a policy encouraging that new residential neighbourhoods consist of a <i>compact built form</i> as defined.
2.4 Strategic Growth Areas	
Adds policy 2.4.1.1 which requires <i>Large and fast-growing municipalities</i> to identify appropriate minimum density targets for each strategic growth area and continue to identify the appropriate type and scale of development in <i>strategic growth areas</i> for transition of built form to adjacent areas.	<p>The City of Hamilton supports directing growth within strategic growth areas which would consist of the downtown urban growth centre and the MTSAs which are currently under reviewed to be delineated.</p> <p>Staff support setting a minimum density targets in these areas but with the removal of Policy 1.4.3 a) and f) from the current PPS, there needs to be policies in place to ensure that development includes housing for low and moderate income households and maintains appropriate levels of public health and safety.</p> <p>The proposed PPS's deemphasis on residential intensification and increased emphasis on rural and greenfield residential development, may result in changes in the housing market away from reurbanization and towards greenfield development especially within strategic growth areas.</p> <p>While there is direction related to the density targets within MTSAs in the proposed PPS and within the Urban Hamilton Official Plan, there should be direction on appropriate minimum targets for other strategic growth areas and how quickly the municipality need to establish those targets.</p>
Adds policy 2.4.1.2 which provides that reductions in size or change in location of an <i>urban growth centres</i> in an official plan may only occur through a new official plan or official plan amendment.	Downtown Hamilton is an Urban Growth Centre. This proposed policy indicates existing urban growth centres will remain in effect but new urban growth centres will not be delineated and an official plan amendment is required to make a reduction or remove. The City of Hamilton is supportive of ensuring that existing urban growth centres remain in place and require an official plan amendment to make any change to the size.

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<p>Adds policy 2.4.2.1 which requires <i>large and fast-growing municipalities</i> to delineate the boundaries of major transit station areas on higher order transit corridors in their official plan. The defined area shall be within a 500 to 800 metre radius of a transit station that maximizes the number of potential transit users within walking distance of the station.</p>	<p>This proposed policy is consistent with the definition of Major Transit Station Areas (MTSAs) within the Growth Plan.</p> <p>The City of Hamilton is supportive of policies that require the delineation of MTSAs which encourage intensification that creates more transit-oriented development in an urban area.</p> <p>The City is already completing work to delineate Major Transit Station Areas within a 500 to 800 metre radius of a transit station.</p>
<p>Adds policy 2.4.2.2 which requires <i>large and fast growing municipalities</i> to plan for the prescribed minimum density targets (consistent with current Growth Plan targets) within MTSAs.</p>	<p>This proposed policy is consistent with policy 2.2.3 of the Growth Plan with no significant changes. The City of Hamilton has no comment.</p>
<p>Adds policy 2.4.2.3 which allows large and fast growing municipalities to request the Minister to approve an official plan or official plan amendment with a lower density target established in policy 2.4.2.2 where it is demonstrate the target cannot be achieved.</p>	<p>This proposed policy is consistent with policy 2.2.4 of the Growth Plan. The City is supportive of allowing for flexibility for the required density targets within MTSAs where growth cannot be accommodated due to other considerations.</p> <p>However, municipal decision on the minimum density target should not be subject to privately initiated Official Plan Amendments to reduce the density target.</p>
<p>Adds policy 2.4.2.5 which provides that planning authorities may plan for major transit station areas that are not on higher order transit corridors by delineating boundaries and establishing minimum density targets.</p>	<p>This proposed policy allows the City of Hamilton to consider local conditions where higher densities would be appropriate without limiting intensification and growth to transit corridors. This flexibility facilitates more comprehensive node / corridor planning and helps build more transit oriented development across Hamilton more quickly (e.g. along express bus corridors that might ultimately transition into higher order transit corridors). The City supports this policy.</p>
<p>Softens the language of policy 2.4.2.6 (2.2.4.8 of Growth Plan) for requiring major transit station areas to be transit supportive and achieve multimodal access to stations and</p>	<p>It is unclear, based on the definition of <i>Major Transit Station Area</i> and <i>Transit-supportive</i>, why an MTSA would not be transit-supportive. MTSAs have minimum density targets of people and jobs per hectare in order to achieve compact, mixed use, built form in those areas. This change to soften the language directly</p>

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connections to nearby major trip generators.	<p>conflicts with policy direction to encourage complete communities throughout municipalities.</p> <p>If strategic growth areas are not planned to be transit supportive or have multi-modal access, there could be significant implications on the capacity of the road network in these areas.</p> <p>The City of Hamilton is supportive of the additional language related to infrastructure that accommodates a range of mobility needs and supports in order to make MTSAs accessible to all ages and abilities.</p>
2.5 Rural Areas in Municipalities	
Revises policy 2.5.1 (previously 1.1.4.1) to remove “encouraging the conservation and redevelopment of existing rural housing stock on rural lands” related to development of rural areas.	It is not clear what the intent of removing this policy which directly conflicts with the emphasis of increased housing supply and options within Rural Areas. The preservation of existing housing stock within rural areas support this goal without taking additional lands out of agricultural production or developed on undistributed natural heritage areas. In addition, rural housing stock often has significant heritage value or interest given that the City’s Inventory and Registry of Heritage Properties includes dwellings constructed prior to Confederation. and the policy to be removed supports the restoration and reuse of buildings that reflect Ontario’s rural character and history.
Removes policy 1.1.4.2 that growth and development in rural areas shall be focused in rural settlement areas.	<p>Rural Settlement Areas are intended to be residential and service centres that serve the immediate community and the surrounding rural area. They typically include schools, places of worship, small scale commercial businesses and recreational amenities that help form a complete community, reducing residents need to travel to larger urban centers for services. In addition, rural settlement areas include public infrastructure (water/wastewater systems, streetlighting, sidewalks etc.) not found in other rural areas.</p> <p>Directing rural growth to settlement areas optimizes existing and planned infrastructure and public service facilities, supports active transportation. It represents good planning. The proposed removal of this policy is</p>

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	<p>very problematic as it will likely result in more residential development outside of settlement areas.</p> <p>The City of Hamilton is not supportive of the proposed removal of this policy from the new PPS.</p>
<p>Revises policy 2.5.2 (previously 1.1.4.3) to add “locally appropriate” when referring to rural characteristics to be considered for development in rural settlement areas.</p>	<p>The City of Hamilton has established Rural Settlement Plan Areas within its Rural Hamilton Official Plan that provides specific land use planning policies and mapping for each of Hamilton’s 19 Rural Settlement Areas.</p> <p>The City is supportive of adding “locally appropriate” to this policy which helps support the City’s efforts to establish rural settlement area specific policies that reflect local conditions and priorities. “Locally appropriate” and “rural characteristics” should be defined in the proposed PPS. Defining these terms will help to clarify questions such as whether the conservation and enhancement of cultural heritage resources such as agricultural landscapes and historic settlement areas are considered “rural characteristics”</p>
<p>Other wording changes as outlined in PPS Comparison.</p>	<p>In policy 2.5.1 g, it has been stated “healthy, integrated and viable rural communities should be supported by conserving biodiversity and considering the ecological benefits provided by nature”. These are important considerations within both the urban <u>and</u> rural areas.</p> <p>Section 2.5 of the preamble has been removed in the proposed PPS. Preambles play an important role in a policy document providing context for the intent of the policies. By removing this section of the preamble, it no longer provides a background and context of the importance of preserving the social and environmental fabric of rural areas. Rural areas are not future urban areas, and are no longer being seen as assets or contributors of a foundation for a sustainable economy. In the previous wording there was a greater cohesion that recognized the purposes that the Rural lands provided, including protection for Natural Heritage features. The lack of preamble does not adequately introduce the purpose and function of Rural lands in the greater context of the Province of Ontario.</p>

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2.6 Rural Lands in Municipalities	
Removes policy 1.1.5.1 which requires planning authorities to apply relevant policies of the PPS when directing development on <i>rural lands</i> .	The City of Hamilton is not supportive of the proposed removal of policy 1.1.5.1.. Rural Lands are directly connected to the wise use and management of resources as well as ensuring that public health and safety is protected when considering development proposals for sensitive land uses on rural lands. While these policies are covered in other sections of the proposed PPS, staff recommend this policy remain or as an alternative, additional wording be provided under Section 2.6 to provide context around the role of rural lands have in supporting these priorities.
Clarifies residential dwellings which are part of resource based recreational uses are not intended as permanent residences in policies 2.6.1 b), 2.7.1 and 2.7.4 (previously 1.1.5.2, 1.1.6.1, 1.1.6.4)	The City of Hamilton is generally supportive of this clarification but suggest it go further to specifically exclude permanent non-farm dwellings as a permitted use on rural lands. The City of Hamilton encourage locating more temporary ‘recreational residences’ in rural areas.
Removes policy 1.1.5.3 to promote recreational, tourism and other economic opportunities on rural lands.	No comment.
Revises policy 2.6.2 (previously 1.1.5.4) to remove language “compatible with rural landscape”.	The City of Hamilton is not supportive of this proposed policy change which limits the ability to develop site specific policies and/or guidelines to ensure that new rural development is sympathetic and compatible with the rural character of the area.
Revises policy 1.1.5.2 c) that limits residential lot creation that is “locally appropriate” to remove the reference to “locally appropriate” and allow for multi-lot development.	The City’s Rural Hamilton Official Plan has more restrictive residential lot creation than the PPS, not permitting new residential lot severances in Rural Areas outside of surplus farm dwelling severances. Historically, the former townships within the City of Hamilton experienced significant fragmentation of its Rural Lands through residential lot creation which has had negative impacts on the City’s agricultural and natural heritage systems (including protection of groundwater), mineral aggregate resources and created countless land use conflicts.

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	<p>While an amendment is not currently proposed to the Greenbelt Plan which has maintains more restrictive policy respecting rural lands within the Protected Countryside, the City of Hamilton does not support the removal of “locally appropriate” from this policy which threatens the City’s ability to maintain its more restrictive lot creation policies to prevent further fragmentation of Rural lands. Similarly, the City of Hamilton opposes multi-lot residential development (e.g. rural residential subdivisions) for the same reasons discussed above.</p>
2.7 Territory Without Municipal Organization	
<p>Wording changes as outlined in PPS Comparison.</p>	<p>No Comments.</p>
2.8 Employment	
<p>Revises the definition of employment area to exclude institutional and commercial uses, including retail and office uses, unless those institutional or commercial uses are associated with the primary employment area use. The revisions to the definition of employment area matches corresponding amendments to the <i>Planning Act</i>.</p>	<p>It appears the intent definition change is to create strict areas for heavy manufacturing type of employment, and would not include areas that are considered as business parks that have permissions for a wider range of uses like office uses, or areas in business parks that contain commercial or retail uses supportive to the employment use.</p> <p>There is value to having amenities/supports located in close proximity / integrated into significant employment areas. This needs to be done with care, but can be done in a manner that ensures the outcome is ‘supported’ employment areas and advancing climate resilience through reducing automobile trips and encouraging pedestrian connections.</p> <p>The Industrial Zones in City of Hamilton Zoning By-law 05-200 do not permit commercial or institutional uses unless to support the Business park. The M4 Zone allows restricted restaurant and retail uses in support of the Business Parks and is located at the intersections entering into parks.</p>

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<p>Adds policy 2.8.1.2 which provides that industrial, manufacturing and small scale warehousing uses that could be located adjacent to sensitive land use without adverse effects are encouraged in strategic growth areas and other mixed use areas where frequent transit service is available, outside of employment areas.</p>	<p>The proposed policy change to allow industrial and manufacturing and small scale warehousing in strategic growth areas may result in land use patterns that create conflict between users. Although, the proposed policy notes these uses would only be permitted where there are no adverse effects.</p> <p>This approach could be helpful in facilitating the creation of more complete communities (live/work/play), however the type and scale of use would need to be refined through zoning to ensure that there is no risk of adverse impacts on any sensitive land uses. In addition, there is concern the proposed policy change may result in decentralized movement of goods, increasing truck traffic which in turn may result increased truck traffic, impacting the Truck Route Master Plan.</p> <p>Zoning By-law updates may be required to accommodate warehouse uses outside of the Employment Areas and Arterial Commercial Zones. The City of Hamilton will need to complete further review of performance standards and locational requirements necessary to establish the appropriate regulations.</p>
<p>Adds policy 2.8.1.3 which permits residential, employment, public service facilities and other institutional uses on lands for employment that are outside of employment areas to support the achievement of complete communities, taking into account the transition of uses to prevent adverse effects.</p>	<p>This proposed policy contemplates the uses described in 2.8.1.2, and frames them as part of a complete community. The concept of “lands for employment” that exists outside of and “employment area” will need to be carefully considered in terms of how they are described in local policy. Currently, the City of Hamilton has Employment Areas, and the consideration of “lands for employment” will need to be taken into account through future policy revisions.</p> <p>The remnant employment lands will be reviewed and assessed for the appropriate zoning. It is not clear if this proposed policy is meant to cover those lands that aren’t designated for but are currently zoned or used for employment purposes.</p>
<p>Adds policy 2.8.1.4 which provides that official plans and zoning by-laws shall not contain provisions that are</p>	<p>The City of Hamilton note consideration of what would be considered under “public health and safety” is vague</p>

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more restrictive than Section 2.8.1.3 of the Provincial Planning Statement, except for the purposes of public health and safety.	and could be interpreted broadly. This policy should be clarified.
Adds policy 2.8.1.5 which directs major office and major institutional development to major transit station areas or other strategic growth areas where frequent transit service is available.	<p>The proposed policy is already reflected in the UHOP through new policy E.2.1 b) added through OPA 167 and in City of Hamilton Zoning By-law 05-200 through the TOC Zones. The difference is that the proposed PPS policy specifies that frequent transit service “is” available, not that it may also be “planned”.</p> <p>The City of Hamilton is supportive of this proposed policy.</p>
Other wording changes as outlined in PPS Comparison .	<p>Policy 2.8.3 is now a “shall” policy, directing that municipalities shall assess and update employment areas in their OPs. The previous instruction for timing of this review was through the MCR process, however it is unclear when and how often a municipality should now be undertaking such a review.</p> <p>Policy 2.8.4 allows a municipality to remove lands from an employment area at any time since there is no further requirement for a comprehensive review. It is now open for consideration through Official Plan amendment at any time, and through private applications, provided the tests can be demonstrated.</p> <p>City of Hamilton staff require guidance from the Province for updating Official Plans in accordance with Policy 2.8.3.</p>
2.9 Energy Conservation, Air Quality and Climate Change	
<p>Modifies the approaches for planning for the impacts of a changing climate under Section 2.9 (previously 1.8) with less focus on the location of certain land uses to minimize transportation congestion.</p> <p>(Relates to other sections such as Employment and Transportation Systems)</p>	<p>The proposed energy conservation, air quality and climate change policies deemphasize the importance of building complete communities as an important method for reducing travel requirements / facilitating peoples’ ability to use public transit as effective methods for reducing Green House Gases (GHG).</p> <p>The current PPS Section provides a better framework for addressing climate change through land use planning.</p>

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	<p>The City of Hamilton has developed City-wide initiatives such as the Climate Change Adaptation Strategy and the draft Urban Forest Strategy. These strategies recognize that the preservation of mature vegetation is essential in maintaining the urban forest canopy, mitigating the impacts of climate change and providing a healthy community.</p> <p>These proposed changes have weakened the policies related to climate change. There should much more robust policies related to climate change that include targets to provide municipalities with the ability to require green infrastructure and low impact development when review <i>Planning Act</i> development applications. Specific reference should be made to the role of the retention and retrofitting existing buildings, including buildings of cultural heritage value, to achieve these goals.</p> <p>This section was previously more comprehensive and effectively reinforced by other elements within the PPS, 2020 and Growth Plan. The approaches described in the proposed PPS are not supported / reinforced by policies set out in other parts of the Planning Statement and does not appear the Province is interested in promoting planning approaches that will reduce GHG emissions or climate change mitigation.</p>
Chapter 3: Infrastructure and Facilities	
The City of Hamilton are not supportive of the revision in the proposed PPS that removes “prepares for the impacts of climate change” in its infrastructure and public service facilities General Policies and removal of “Green infrastructure” respecting investments in infrastructure.	
3.1 General Policies for Infrastructure and Public Service Facilities	
Adds policy 3.1.6 which encourages innovative approaches in the design of schools in strategic growth areas or other areas with compact built form in consultation with school boards.	<p>The City of Hamilton is generally supportive of this change but recommend that the PPS provide specific policies or tools enabling local Official Plans or School Boards to require this as part of a planning approval.</p> <p>The terms <i>infrastructure</i> and <i>public service facilities</i> do not include parks or natural areas so consideration</p>

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	<p>should be made to ensure innovative approaches to schools will require the integration of parks.</p> <p>The City of Hamilton requires clarification on the meaning of “where appropriate” within the new policy 3.1.1 (b) which appears to weaken the proposed policy.</p> <p>The City of Hamilton does not support the removing reference to preparing for the impacts of a changing climate.</p>
3.2 Transportation Systems	
<p>Removes policy 1.6.7.4 which states 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.</p> <p>(Relates to Energy Conservation, Air Quality and Climate Change)</p>	<p>The City of Hamilton does not support the removal of this policy in the proposed PPS. The intersection of land use planning and transportation planning is essential to creating compact, transit supportive communities and has been a supported principle of good planning for decades.</p> <p>The City of Hamilton is projected to grow by over 300,000 people over the next 30 years. Establishing land use patterns and densities that reduce reliance on single occupancy vehicle trips and increasing transit ridership, multimodal options and active transportation is critical to ensuring that this population growth can be accommodated making efficient use of existing infrastructure.</p> <p>From a transit perspective, this removal weakens the core objective to increase ridership and mode share. Further, it is a step backwards in promoting active travel in communities. Striking 1.6.7.4, is contrary to good planning with respect to the importance of transit, mode share, active travel, the climate emergency, air quality and energy conservation – all the inputs necessary to reduce carbon emissions. The absence of such a positioning reinforces the importance of the care and is unsustainable.</p> <p>The City of Hamilton notes the previous language in this policy was “should” not “shall” and therefore was not restrictive in cases where it cannot be achieved.</p>

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	The City seeks clarification from the Province on the justification for removing this policy as there does not appear to be any defensible justification for removing this policy given that transportation is a major source of GHG emissions in every Ontario urban area.
3.3 Transportation and Infrastructure Corridors	
Modifies policy 3.3.3 (previously 1.6.8.3 to add “or where avoidance is not possible”	No comment.
Removes policy 1.6.8.6 to consider the significant resources in Section 2: Wise Use of Management of Resources when planning for corridors and rights of way for significant transportation, electricity transmission and infrastructure facilities.	<p>As the PPS still has to be read as a whole, this revision alone should not have any adverse impact. However, the City has concerns with the intent behind this revision and notes that transportation / infrastructure corridors should not be exempt from careful consideration of potential impacts on ‘significant resources’ identified in Section 2 which include Ontario's long-term prosperity, environmental health, and social well-being depend on conserving 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.</p> <p>The City recommends this policy be kept in the new PPS.</p>
3.4 Airports, Rail and Marine Facilities	
Numbering changes only.	No comment.
3.5 Land Use Compatibility	
<p>Revised policy 3.5.2 (previously 1.2.6.2) related to locating major facilities in proximity to sensitive lands uses which removes the previously prescribed criteria.</p> <p>(relates to Employment Section)</p>	<p>This proposed policy change reduces protections that help ensure the long term viability for major facilities by removing the following criteria currently used to determine if the sensitive use may be permitted:</p> <ul style="list-style-type: none"> - That there is an identified need for the proposed use; and,

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	<ul style="list-style-type: none"> - That alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations. <p>The City is not supportive of this amendment which, if enacted, allows sensitive land uses to encroach to these uses that provide critical employment and infrastructure just because they “can” and doesn’t consider whether they “should” or “need to”.</p> <p>The relaxation of these protective measures is likely to restrict and frustrate the ability of major facilities to expand and/or redevelop over the long term (e.g. 20+ year horizon) to meet future demands, compete economically at a national or international level and adjust with evolving technologies. This in turn increases the risk that existing major facilities become obsolete.</p> <p>With that said, the City notes that Major facilities are still protected by ensuring adjacent sensitive land uses are only permitted where potential impacts are mitigated. Criteria a) and b) that existed previously were difficult to implement in a brownfield scenario where former industrial areas are transitioning to residential uses (especially the “no alternative locations” criteria because alternative locations for residential uses do exist but there may be sound planning rationale for transitioning industrial areas to residential provided potential impacts on major facilities are mitigated).</p>
3.6 Sewage, Water and Stormwater	
<p>Significant modifications to policies 3.6.1 to 3.6.8 (previously 1.6.6.1 to 1.6.6.7).</p>	<p>The City of Hamilton does not support the revision to Section 3.6.1 b) and 3.6.8 c) of the proposed PPS which removes reference to preparing for the impacts of a changing climate in the planning of sewage and water systems. This is very concerning as it is critical that the implications of climate change are considered and are driving efforts to effectively manage stormwater and water supply. The City of Hamilton notes that new communal water systems are prohibited by the Rural Hamilton Official Plan. Stronger language about the need to use green infrastructure is recommended within this section.</p>

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	<p>The City of Hamilton supports the inclusion of proposed policy 3.6.1 f) that Planning for sewage and water systems shall “integrate with source protection planning”.</p> <p>The City of Hamilton recommends modifying policy 3.6.5 to include provision for partial services along urban boundary roads where the service already exists and where the design of the services accommodates the connection.</p> <p>The City of Hamilton supports the addition of proposed policy 3.6.8 g) regarding aligning stormwater management plans with comprehensive municipal plans which consider cumulative impacts of stormwater management at a watershed scale. The City recommends Section 3.6.8 be further revised to include that planning for stormwater management shall include watershed planning.</p> <p>The reference to the suitability of on-site private services under proposed 3.6.4 leaves room for interpretation by removing some of the previous details and adding the financial viability aspects. For example, the changes to the policy framework must be accompanied by changes to the Ontario Building Code to allow for the effective monitoring and enforcement of the operating parameters of Tertiary Septic Systems. City Staff do not support any policy changes that would encourage communal servicing systems (water and / or wastewater) due the financial risk to the City in the event of a system failure and subsequent MOECP order for the City to assume the system.</p> <p>financial viability of individual on-site services?</p>
3.7 Waste Management	
Revised policy 3.7.1 (previously 1.6.10.1) related to planning for integrated waste management.	Section 3.7 of the proposed PPS includes the requirement to plan for waste management systems and the definition of waste management system means “sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and

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	<p>disposal sites.” This definition should specify organics processing sites such as anaerobic digestion or aerobic processing facilities as there is a need for these in the province currently.</p> <p>This change deletes simple language to describe Integrated Waste Management (IWM) with no definition of IWM included in the proposed PPS. The City of Hamilton recommends retaining the original text or at least defining IWM in the definitions section.</p>
3.8 Energy Supply	
Numbering changes only.	No Comment.
3.9 Public Spaces, Recreation Parks, Trails and Open Space	
Wording changes as outlined in PPS Comparison related to inclusive communities.	<p>The City of Hamilton is supportive of the added language to support the needs of all ages and abilities.</p> <p>In proposed policy 3.9. d) reference is made to “other protected areas”. It is unclear if this would include specific natural heritage features or areas that are specific to municipalities (i.e., Environmentally Significant Areas) since what would be considered in this category has not been defined. In addition, “negative impact” has not been defined in terms of this policy. Further clarification should be provided in Section 7 (Definitions).</p>
Chapter 4: Wise Use and Management of Resources	
There is no mention of proper management of waste as a resource in this section even though certain waste streams are now considered resources under the Resource Recovery and Circular Economy Act (2016). Chapter 4 should recognize this and should include how the infrastructure to support waste as a resource is protected and how.	
4.1 Natural Heritage	
The natural heritage policies and related definitions remain under consideration the province.	“The protection of ecological systems, including natural areas, features, and functions” has been identified as a matter of Provincial Interest, however, Natural Heritage policies and related definitions have not been considered within the proposed PPS (these will be available through a separate Environmental Registry of

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	<p>Ontario posting). This does not recognize the importance of the natural environment in the planning framework or the interconnections with other policies.</p> <p>The Natural Heritage System (NHS) within the Province has been delineated based on a “systems” approach recognizing that features and their functions are important. This approach is based on the concept of Landscape Ecology and has been in place in the Province since 2005. A balance of growth and healthy environments are required. A healthy Natural Heritage System leads to a healthy population.</p> <p>The Natural Heritage Reference Manual was developed to implement the natural heritage policies of the 2005 Provincial Policy Statement. The Manual has not been updated since 2010. It is recommended that this Manual be updated.</p> <p>As the PPS is to be read and applied in its entirety, it is unclear how the proposed PPS policies will relate, and be applied to lands containing or adjacent to NHS features.</p>
4.2 Water	
<p>Revises the requirements for protecting, improving and restoring the quality and quantity of water prescribed in policy 4.2.1 (previously 2.2.1)</p>	<p>Reference to evaluation and preparation for the impacts of a changing climate has been removed from proposed policy 4.2.1. Water resource systems need to be protected and conserved since they are important components in preparing for climate change. It is recommended that climate change continue to be considered in this policy.</p> <p>In policy 4.2.1 a), it has been identified that the watershed scale is to be used as a foundation for considering cumulative impacts of development. It is unclear how “cumulative impacts” are defined since this term is missing from the definition section. It is recommended that Section 7 (Definitions) be revised accordingly.</p> <p>In policy 4.2.1 b), reference has been made to “negative impacts”. While this term has been defined, it is unclear how this will be measured in practical terms.</p>

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	<p>It is recommended that guidance documents be developed in order to implement this policy.</p> <p>Elimination of 1 (i) is also troubling as it sets out practices (i.e stormwater management practices) that are rooted in building climate resilience</p> <p>The definition for water resource systems references natural heritage features and areas. There is concern that “natural heritage features and areas” have not been included within Section 7 (Definitions). The City assumes that definitions related to natural heritage will be brought forward when the natural heritage policies are released for review.</p> <p>Overall, the City of Hamilton has concerns related to increased rural development with potential private communal servicing, settlement expansions at any time. The water features enhancements that were added in 2020 are removed. Planning authorities can prioritize protecting or restoring the quality and quantity of resources including water, minerals, as well as cultural heritage and archaeological sites from land alterations based on watershed studies.</p> <ul style="list-style-type: none"> • “residential development, including lot creation, and multi-lot residential development, where site conditions are suitable for the provision of appropriate sewage and water services; • Additional residences will be permitted on farm properties (up to two additional on one parcel and up to three additional residential parcels)” <p>The City of Hamilton is not supportive of these changes.</p>
<p>Revises policy 4.2.2 (previously 2.2.2) to remove reference to <i>sensitive surface water features</i>, <i>sensitive ground water features</i> and their <i>hydrologic functions</i>.</p>	<p>The intent of this proposed policy is supported, however, it is unclear what is meant by mitigative measures and/or alternative development approaches. It is recommended that this policy be rephrased. The City of Hamilton is not supportive of this change as currently proposed.</p>

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Adds policy 4.2.3 to require municipalities to undertake <i>watershed planning</i> .	It has been identified that municipalities are encouraged to undertake watershed planning. The intent of the policy is supported, however, there is concern that the focus is only limited to water and water resources. The overall Natural Heritage System is to be considered (not just water). In addition, this policy specifically references municipalities. This type of planning is complex, involves several disciplines, and can be multi-jurisdictional. Conservation Authorities, who have valuable knowledge of the larger system have not been considered within this policy. It is suggested that the policy be revised accordingly. It is also recommended the word “management” is replaced with “infrastructure”.
4.3 Agriculture	
Adds policy 4.3.2.4 to permit a principal dwelling associated with an agricultural operation in prime agricultural areas as an agricultural use unless otherwise prohibited.	No comment.
Adds policy 4.3.2.5 to permit up to two additional residential units subordinate to the principal dwelling in prime agricultural areas subject to prescribed criteria.	<p>The City of Hamilton is currently developing zoning regulations to support detached Accessory Dwelling Units in rural areas; however, the intent of these permission is to ensure that the detached ADU is clearly secondary and subordinate to the principle dwelling.</p> <p>It is understood that the polices for Prime Agricultural Areas within the Protected Countryside designation of the Greenbelt Plan which only permit Additional Dwelling Units within single detached dwellings or existing accessory structures on the same lot, would take precedence over the proposed PPS.</p> <p>Regardless, the City of Hamilton has concerns that this policy will allow residential dwellings on agricultural properties and recommends the policy be revised to limit one additional dwelling and include policy that municipalities shall establish appropriate policies and regulations to ensure that additional dwelling will be clearly subordinate to the principle dwelling.</p>

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<p>Revises policy 4.3.3.1 (previously 2.3.4.1) to allow residential lot creation in prime agricultural areas for up to three parcels is permitted in accordance with prescribed criteria.</p>	<p>It is understood that the polices for Prime Agricultural Areas within the Protected Countryside designation of the Greenbelt Plan which restrict lot creation to surplus farm dwellings, would take precedence over the proposed PPS.</p> <p>The City of Hamilton have significant concerns with the introduction of new residential lot creation permissions within Prime Agricultural Areas, including that it would:</p> <ul style="list-style-type: none"> • Remove productive agricultural lands. • Severely limit the adaptability for agriculture in the future by increasing lot fragmentation and limiting future livestock operations based on MDS calculations. • Negatively impact the City’s groundwater resources by increasing the number of residential septic systems. • Increase demand for municipal services that are inefficient to extend to agricultural areas (e.g. police, fire, health care, schools, active transportation), negatively impacting the City’s finances. • Increase real estate speculation for agriculture properties based on their residential development potential, increasing the price of farmland and limiting the ability of new family farms to be established. • Increase the potential for land use conflicts between rural residential uses and agricultural uses. <p>Further, this policy change combined with the revision described immediately below will introduce a significant threat to Ontario farmland opening the door to extensive new residential lot creation and development on agricultural land in Ontario. The diagrams below (shared by Dr. Caldwell et al in a recent Ontario Farmland Trust webinar) illustrates the impact that these policy changes could have on agricultural lots. They raise additional concerns about disruption of farm activity, including the implications with respect to Minimum Distance Separation requirements, that could result with the proximity of more residential dwellings as a potential problem too.</p>

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	<div data-bbox="717 411 1224 781" data-label="Image"> <p>This diagram illustrates a large agricultural lot being subdivided into several smaller residential lots. Each lot contains a house icon, representing the potential for increased residential density in an agricultural area.</p> </div> <div data-bbox="717 852 1224 1180" data-label="Image"> <p>This diagram shows a large agricultural lot subdivided into a much higher density of smaller residential lots compared to the first diagram. Each lot contains a house icon, further illustrating the cumulative impact of severances on agricultural land.</p> </div> <div data-bbox="717 1222 1455 1419" data-label="Text"> <p>While the proposed policy may seem minor by limiting the total number of lots to two per agricultural operation, the cumulative impact of severances for new rural residential building lots has the impact of transforming agricultural areas to exurban areas as residential uses slowly becomes the predominate use.</p> </div> <div data-bbox="717 1457 1455 1654" data-label="Text"> <p>The proposed policy is not clear as to what constitutes an ‘agricultural operation’ as the term is not defined in the proposed PPS. The City of Hamilton recommend if this proposed policy is to remain, that additional regulations be provided establishing a minimum lot area of at least 40.4 hectares.</p> </div> <div data-bbox="717 1692 1455 1881" data-label="Text"> <p>Rural Hamilton Official Plan Policies will need to be reviewed to implement and corresponding zoning changes may be required to establish the necessary lot standards. It is not clear if this proposed policy should also relate to Additional Dwelling Units and Additional Dwelling Units-Detached.</p> </div>
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Adds policy 4.3.3.2 which provides that official plans and zoning by-laws shall not contain provisions that are more restrictive than Policy 4.3.3.1(a) of the proposed PPS for lot creation in prime agricultural areas except to address public health and safety concerns.	The City of Hamilton strongly object to this proposed policy which limits the ability to establish ‘locally appropriate’ Official Plan polices and regulations.
Adds policy 4.3.3.3 which discourages non-residential lot creation in prime agricultural areas and prescribes criteria when it is permitted.	The City of Hamilton recommends including the facilitating the retention and conservation of a significant cultural heritage resource in the prescribed criteria for permissions for lot creation.
Revises policy 4.3.5.2 (previously 2.3.6.2) to provide that impacts from new or expansions of nonagricultural uses on surrounding agricultural lands and operations can be minimized or mitigated as determined through an agricultural impact assessment or equivalent analysis when they cannot be avoided.	No comment. Staff support the retention of the existing policy framework.
Other wording changes as outlined in PPS Comparison .	<p>The current PPS requires municipalities to use Provincial based on provincial guidelines in mapping its Prime Agricultural Areas whereas proposed policy 4.3.1 and the revised definition of Prime Agricultural Area allows municipalities to complete its own mapping based on provincial guidance.</p> <p>In developing the Rural Hamilton Official Plan, the City of Hamilton established its Agriculture and Rural land use designations based on agricultural land mapping and guidelines provided through the OMAFRA. This new policy appears to provide flexibility to municipalities on other data sources for identifying Prime Agricultural Areas in Official Plan mapping. It is not clear what the intent of this change is or what ‘guidance’ is being referred to. The City of Hamilton (likely similar to other municipalities with agricultural lands) relies on the expertise of OMAFRA staff in providing accurate</p>

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	agricultural mapping which has been effective in ensuring that municipalities use consistent, readily available data in its agricultural system planning.
4.4 Minerals and Petroleum	
Numbering changes only.	No comment.
4.5 Mineral Aggregate Resources	
Revisions to section 4.5.4 (previously 2.5.4) related to extraction in Prime Agricultural Areas as outlined in document.	No comment.
4.6 Cultural Heritage and Archaeology	
<p>4.6.1 Replacement of “significant” cultural heritage resources (including built heritage resources and cultural heritage landscapes) with “protected heritage property”.</p> <p>This change is in conjunction with the removal of the definition of <i>significant</i>, in regard to cultural heritage (definition e), and revisions to the definition of <i>protected heritage property</i>, <i>built heritage resource</i>, <i>cultural heritage landscape</i> from the Definitions section.</p>	<p>The change from “significant” to “protected heritage property” is not consistent with the language in Section 2 of the Planning Act outlining the provincial interest, which includes: (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; [emphasis added]</p> <p>The proposed change diminishes the City’s ability to conserve signature heritage resources.</p> <p>Through the revision of PPS, 2020 policy 2.6.1, now 4.6, and the corresponding removal of the definition of <i>significant</i> with regard to cultural heritage resources, the ability of the municipality to evaluate and protect a significant built heritage resource or cultural heritage landscape is diminished. The previous definition of <i>significant</i> included a recognition that not all significant heritage properties have been identified, even with proactive inventory work (as proposed with new policy 4.6.4(b)), and there may still be significant resources that would be identified and evaluated through the <i>Planning Act</i> process that should be conserved.</p> <p>This policy change will require municipalities to designate properties containing cultural heritage resources to ensure that they are <i>conserved</i> through the <i>Planning Act</i> process. In the case of applications</p>

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	<p>considered to be “prescribed events” as per <i>Ontario Regulation 385/21</i> of the <i>Ontario Heritage Act</i>, this would require the City to proactively designate prior to an application or within 90-days of a prescribed event being triggered.</p> <p>The changes to the language in this policy will require a review and update of the City’s cultural heritage resource policies in the official plans, which currently include policies to ensuring that previously unidentified cultural heritage resources (built heritage resources and cultural heritage landscapes) are conserved, and allow the municipality to require Cultural Heritage Impact Assessments and Documentation and Salvage Reports for properties of heritage interest that are not yet <i>protected heritage property</i>.</p> <p>This policy revision, in conjunction with the removal of the definition of <i>significant</i> and the revision of the definition of <i>cultural heritage landscape</i>, will require the City to re-evaluate the Cultural Heritage Landscapes (CHL) identified on the Official Plans and in the City’s Inventory of CHLs, and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>. This is anticipated to have significant impacts on budget and staffing and may result in the loss of features and buildings within cultural heritage landscapes of interest without <i>Ontario Heritage Act</i> protections.</p> <p>Note: There are minor administrative changes to the definition of <i>protected heritage property</i>, but the intent of the definition remains the same.</p> <p>There is now stronger language around engaging with Indigenous groups early in the process when identifying, protecting and managing archaeological resources. Staff support early engagement with Indigenous communities in the Planning process. Archaeological assessments for parks, trails, open space projects are regularly conducted by Environmental Services staff when identified by Planning staff to have archaeological potential.</p>

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<p>Proposed policy 4.6.4 a) revises current PPS policy 2.6.4.</p>	<p>The proposed revisions include the removal of language that encouraged the development of cultural plans in the conservation of cultural heritage resources, and adds language to encourages planning authorities to develop and implement “proactive strategies for identifying properties for evaluation under the <i>Ontario Heritage Act</i>.” This policy revision is consistent with</p> <p>The City’s Built Heritage Inventory (BHI) Strategy is a proactive initiative for the identification of built heritage resources of cultural heritage value or interest. To date, the City’s BHI Strategy has focused on listing properties of heritage interest on the Municipal Heritage Register to provide interim protection from demolition, and flagging significant heritage properties that may be worthy of designation under Part IV of the <i>Ontario Heritage Act</i>. Recent staff Report PED22211(a) identified the need to re-evaluate and focus the BHI Strategy work in light of the Bill 23 amendments to the <i>Ontario Heritage Act</i>, and to focus on Part IV designation of properties and the identification of new Heritage Conservation Districts for designation under Part V of the Act. Staff will be reporting back before the end of 2023 with recommendation actions for refocusing the BHI Strategy and for new HCD work moving forward.</p>
<p>Proposed policy 4.6.5 Revises previous PPS, 2020 policy 2.6.5.</p>	<p>The proposed revisions include the addition of “early” to the direction for planning authorities to engage with Indigenous communities when identifying, protecting and managing cultural heritage resources, including archaeology, built heritage resources and cultural heritage landscapes. The revised language also directs planning authorities to “ensure” that the interests of Indigenous communities are considered, rather than they “consider their interests”.</p> <p>Early engagement is already a best practice in the City of Hamilton and is already reflected in the City’s Archaeology Management Plan (AMP) and Indigenous Archaeological Monitoring Policy.</p>
<p>Chapter 5: Protecting Public Health and Safety</p>	

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5.1 General Policies for Natural and Human-Made Hazards	
Wording changes as outlined in PPS Comparison .	The City of Hamilton does not support elimination of reference to a changing climate and need to take heed of implications of these changes.
5.2 Natural Hazards	
Adds policy 5.2.1 requiring planning authorities to identify hazardous lands and hazardous sites and manage development in these areas.	<p>The City of Hamilton seeks clarification to determine how the hazardous lands and sites will be identified. Currently hazardous lands and hazardous sites are regulated by Conservation Authorities. It is unclear what the role of Conservation Authorities will be in the identification / management of these areas.</p> <p>The proposed policy should outline how these areas will be identified. It is unclear if there will be funding/resources available to update this information and Staff recommend the Province provide guidance to assist in implementing this policy direction.</p>
Removes policy 3.2.3 related to the reuse of excess soil.	<p>The City needs further information on the intent behind removing this policy but are concerned it may exacerbate existing problems with excess soil being dumped in rural areas..</p> <p>City park spaces are already exempt from reuse of excess soils, per the amendment to O.Reg.406/19 Excess Soils Management, but the removal of this policy altogether does not compel municipalities to investigate reusing excess soil.</p>
Chapter 6: Implementation and Interpretation	
6.1 General Policies for Implementation and Interpretation	
Adds policy 6.1.6 requiring planning authorities to keep zoning and	It is unclear how the changes to Section 2.1 which added policy language about Minister’s Zoning Orders

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development permit by-laws up to date in their official plans related to permitted uses, minimum densities, heights and other standards.	being in addition to projected growth needs will impact municipalities ability to keep zoning up to date.
Removes the policy from current PPS “The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans” and adds that wording to the preamble.	The City of Hamilton strongly object to the removal of this policy in the proposed PPS which deemphasizes and minimizes the critical role that municipal official plans have in creating clear and detailed land use planning goals and policies based on extensive public engagement and local conditions.
Other wording changes as outlined in PPS Comparison .	In policy 6.1.5, reference to further evaluation to determine the significance of natural heritage features has been removed. There is concern with this approach since policies associated with natural heritage have not been included within the proposed PPS. It is unclear if there will be changes to the definitions of “significance” or in the mechanisms that are used to evaluate natural heritage features and their functions (i.e., Environmental Impact Statements).
6.2 Coordination	
Revises policy 6.2.2 (previously 1.2.2) to require early engagement with Indigenous communities.	The City of Hamilton seeks guidance from the Province on what satisfies this requirement to undertake early engagement with Indigenous communities and coordinate on all land use planning matters.
Adds policy 6.2.3 to encourage early engagement with the public and stakeholders.	The proposed PPS requires municipalities to engage the public and stakeholder early in local efforts to implement the proposed PPS. The City of Hamilton finds the addition of this policy discourteous and audacious considering that: <ul style="list-style-type: none"> • The PPS adds policy 6.1.7 which prevents the City of Hamilton from having time to update its Official Plans to be consistent with the new PPS and which would include, among other things, meaningful engagement to of the public and stakeholders, before being required to implement the new policy directions.

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	<ul style="list-style-type: none"> • The proposed PPS removes policy stating that the official plan is the most important vehicle for implementation of the PPS. • The proposed PPS specifically removes the City of Hamilton’s ability to develop locally appropriate policies to implement updated PPS direction on Employment Lands and Prime Agricultural Lands. <p>Engagement on the proposed PPS has been limited with a short review window to allow municipalities to fully consider and comment on the wide-reaching implications of the new policy directions. The Province has not engaged early with municipalities on the development of the proposed PPS.</p>
Adds policy 6.2.4 to require collaboration with school boards to meet current and future needs for planning for schools and associated childcare facilities.	The City of Hamilton supports this policy addition to the PPS.
Adds policy 6.2.6 to encourage a coordinated approach between municipalities, the Province and stakeholders, for planning for large areas with high concentrations of employment uses that cross municipal boundaries.	The City of Hamilton supports this policy addition to the PPS.
Chapter 7: Definitions	
Agricultural & Rural Lands	
<ul style="list-style-type: none"> - Creates a definition of Agricultural Impact Assessment that “means the evaluation of potential impacts of non-agricultural uses on agricultural lands and operations and, where applicable, the agricultural system. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.” This definition aligns with the Rural Hamilton Official Plan’s description and draft Terms of Reference for Agricultural Impact Assessments. 	

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<p>Natural Heritage</p> <ul style="list-style-type: none"> • Natural Heritage definitions have not been considered within the revised Provincial Policy Statement. There is concern with this approach. This does not recognize the importance of the natural environment in the planning framework. In addition, policies or definitions have referenced “natural heritage features and areas”. This is a missing term within the definition section. • Removes the definition of “Coastal wetland” and “Ecological function” • Removes reference considering negative impacts to natural heritage features from its definition of “Adjacent Lands” • Adds a new definition for Watershed Planning and Water resource systems. <p>Land Use Planning</p> <ul style="list-style-type: none"> • Includes a new definition for Compact built form which means “means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for infrastructure. Compact built form can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and active transportation, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads”. The City of Hamilton has no concerns with how the proposed PPS defines compact built form; however, the new definition is only discussed in relation to planning for schools and daycares and should be expanded to encourage and/or require this form of development in more areas. <p>Cultural Heritage</p> <ul style="list-style-type: none"> • Areas of Archaeological Potential – There are minor administrative changes to the definition of <i>areas of archaeological potential</i>, but the intent of the definition remains the same. • Built Heritage Resource – The definition of <i>built heritage resource</i> has been revised to remove the following: <p><i>Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.</i></p> <p>The removal of this language from the definition is consistent with the corresponding policy change of new policy 4.6.1 which removes reference to a significant built heritage resources and requires a BHR to be a protected heritage property in order to be conserved through the development process. This will require the City to re-evaluate Inventoried and Listed</p> 	

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	<p>(Registered) properties identified on the Official Plans and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>.</p> <ul style="list-style-type: none"> • Conserved - The definition of <i>conserved</i> has been strengthened to indicate that mitigative measures and alternative development approaches “should” be included in related heritage studies required as part of the development application process, rather than “can”. • Cultural Heritage Landscape - The definition of <i>cultural heritage landscape</i> has been revised to remove the following: <ul style="list-style-type: none"> <i>Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.</i> <p>The removal of this language from the definition is consistent with the corresponding policy change of new policy 4.6.1 which removes reference to a significant cultural heritage landscape and requires a CHL to be a protected heritage property in order to be conserved through the development process. This will require the City to re-evaluate the CHLs identified on the Official Plans and to take alternative actions to ensure their conservation, such as designation under the <i>Ontario Heritage Act</i>.</p> • Employment Area – The definition of <i>Employment Area</i> is revised to state that “Uses that are excluded from <i>employment areas</i> are institutional and commercial, including retail and office not associated with the primary employment use listed above.” As discussed under the City’s comments on the proposed employment policies under the PPS there is value to having amenities/supports located in close proximity / integrated into significant employment areas. • Heritage Attribute - The definition of <i>heritage attributes</i> has been updated to clarify its relationship to attributes identified as part of designation under the <i>Ontario Heritage Act</i>. • Protected Heritage Property - There are minor administrative changes to the definition of <i>protected heritage property</i>, but the intent of the definition remains the same. • Significant - The definition of <i>significant</i>, in regard to cultural heritage, (definition e) has been removed from the Definitions section. This is in conjunction with the removal of significant from new Section 4.6 - Cultural Heritage and Archaeology. The definition of Significant in the PPS, 2020, was: <ul style="list-style-type: none"> <i>e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.</i>

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	<p><i>Criteria for determining significance for the resources identified in sections (c)-(d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.</i></p> <p><i>While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.</i></p> <p>Through the removal of the definition of significant and the corresponding policy from previous PPS 2.6.1, the ability of the municipality to evaluate and protect a significant built heritage resource or cultural heritage landscape is diminished. The previous definition include a recognition that not all significant heritage properties have been identified, even with proactive inventory work, and there may still be significant resources that would be identified and evaluated through the <i>Planning Act</i> process that should be conserved.</p>