

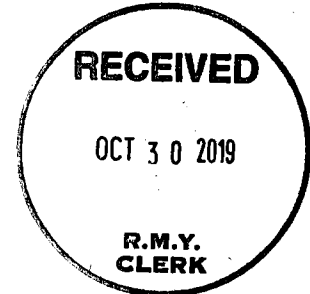


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October 23, 2019

Chris Raynor, Regional Clerk  
Regional Municipality of York  
17250 Yonge Street  
NEWMARKET ON L3Y 6Z1



Dear Mr. Raynor,

**RE: Township of King Planning Department Report Number P-2019-32  
Provincial Policy Statement ("PPS") - Proposed Changes**

Please be advised that at the Council Meeting of October 21, 2019, Council of the Township of King received and approved the King Township Planning Department Report P-2019-32, regarding an overview on changes the Province is proposing to the Provincial Policy Statement.

We respectfully submit the Council endorsed comments, as outlined in Planning Department Report Number P-2019-32, with the following additional comments as a result of Council's consideration of the staff report:

- That more specific and clear criteria be provided upon which adjustments to settlement area boundaries may be considered.
- That criteria be provided that would provide clear direction as to what are defined as "priority applications" in the context of fast-tracking.
- That the Province add a statement that would clarify that "all wetlands, significant or otherwise, should be maintained, restored and improved, wherever possible".

A copy of Planning Report P-2019-32 (Appendix "B") and e-mail from the Director of Planning & Development (Appendix "A") identifying the comments submitted to the Province that King would like the Ministry of Municipal Affairs and Housing to take into consideration during the review process, are attached for your information and file.

Yours truly,

Kathryn Moyle  
Director of Clerks/By-law Enforcement  
Township Clerk  
Encls.

cc. Stephen Naylor, Director of Planning & Development, Township of King



Monday, October 21, 2019

The following, and attached report, represent the comments of the Township of King to the proposed revisions to the Provincial Policy Statement. For background and outline to the comments below please refer to the attached report.

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- The Township of King requires clarification in respect to what the term "market based housing approach" means, and what are the objectives of utilizing that approach.
- It is believed that there is an opportunity for the Province to review and coordinate all upper tier policies where they impact the ability to optimize use of single-loaded arterial roads, transit corridors for employment land opportunities, and water/wastewater infrastructure (i.e. Bathurst Street is the border between the Township of King and four different municipalities – development is permitted on the east side but not on the west side thereby creating an inefficient use of services and resources).
- Provincial legislation is required to address the ability to permit water recycling and reuse.
- Clarification is required as to if the reference to "fast-tracking" is over and above the reduced timeframes recently applied through Bill 108; and if so clarity and guidance as to what would be defined as "residential (housing) and job related growth and development applications" .
- There should be a clear statement, and actions, by the Province to improve Provincial Staff response times in respect of applications and policy documents, that demonstrates the Provinces commitment to "fast-tracking". A Municipality's ability to implement the Provinces objectives are often negatively impacted by the delay in receiving comments from Ministries and agencies under the control of the Provincial Government.
- Clarification as to what the term "engagement" means in the context of consulting with Indigenous communities.
- Clarification is also needed to provide guidance to Municipalities as to which Indigenous communities are to be engaged as the present policies do not provide any parameters to individual Municipalities.
- The proposed policy in Section 1.1.5.2 that states "Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards" is suggested to be amended by striking out the word "should" and replacing it with "shall".
- The Province should differentiate between "prime agricultural areas" and specialty crop areas" on a policy basis given that specialty crop areas are limited to two areas in the Province and deserve a higher level of protection.
- Can employment conversions be advanced by private sector interests, or by only a Municipality? Related to this, when, and how often, are such requests allowed to be advanced?
- It is agreed that Municipalities need to keep their policy documents up-to-date with Provincial legislation. The Province should be cognizant of the time, resources and cost for Municipalities to up-date their documents by ensuring changes to Provincial Plans, Policies and Acts are coordinated so that Municipalities can up-date their documents through one process.
- The Province has indicated that it intends to up-date Provincial reference documents that provide methodology, guidelines, standards and procedures for Municipalities. These documents should be released prior to a decision being made on the proposed changes to the PPS as these documents will provide important information as to how the policies are to be interpreted. Without this information it is very difficult for a Municipality to accurately assess the proposed changes.

- An adequate transition must be provided in the event that the proposed changes to the Statement are approved so as any necessary changes to local policies and/or processes can be undertaken prior to the changes taking effect.

The following comments were added as a result of Council's consideration of the Planning Report and therefore were not discussed in the attached report.

- That more specific and clear criteria be provided upon which adjustments to settlement area boundaries may be considered.
- That criteria be provided that would provide clear direction as to what are defined as "priority applications" in the context of fast-tracking.
- That the Province add a statement that would clarify that "all wetlands, significant or otherwise, should be maintained, restored and improved, wherever possible".

Should you require any clarification of the above please do not hesitate to contact the undersigned.

Regards,

**Stephen Naylor, MCIP, RPP**

Director of Planning and Development

Township of King

905-833-4060

**KING.ca**



THE CORPORATION OF THE TOWNSHIP OF KING  
REPORT TO COMMITTEE OF THE WHOLE

Monday, October 21, 2019

Planning Department Report P-2019-32

RE: Provincial Policy Statement  
Proposed Changes

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1. **RECOMMENDATIONS:**

The Planning Department respectfully submits the following recommendations:

- a) THAT the comments incorporated in Report P-2019-32 be submitted to the Province as the Township of King comments on the proposed changes to the Provincial Policy Statement.
- b) THAT the Clerk circulate Report P-2019-32 to the Region of York.

2. **PURPOSE:**

The purpose of this Report is to provide a general overview of the proposed changes to the Provincial Policy Statement ("PPS"), and to recommend comments to be provided by the Township of King to the Province of Ontario regarding these proposed changes.

3. **BACKGROUND**

The Provincial Policy Statement was issued in 1996 and has continually evolved through various updates and revisions to the current PPS 2014 version. The Provincial Policy Statement is a consolidated statement of the government's high-level policies on land use planning, and provides provincial policy direction on matters such as: management of land and infrastructure; affordable housing; protection of the environment and agricultural, natural and water resources; economic development; availability of appropriate infrastructure; and protection of people and property from hazards (such as flood prone areas). All decisions made with respect to land use planning matters "shall be consistent with" the PPS.

In concert with other recent proposed revisions to Provincial policies (i.e. *Planning Act; A Place to Grow: Growth Plan for the Greater Golden Horseshoe*) the proposed changes to the PPS are intended "to support overall goals related to increasing housing, supporting jobs and reducing red tape".

The Province is proposing changes to the PPS to:

- Encourage the development of an increased mix and supply of housing;
- Protect the environment and public safety;
- Reduce barriers and costs for development and provide greater predictability;
- Support rural, northern and Indigenous communities;
- Support the economy and jobs; and
- Maintain protections for the Greenbelt.

These are all matters that Planning Staff support. The recently adopted Official Plan also provides policy support (indirectly if not directly) in these six areas. However, not all of the objectives and/or methods to achieve the stated objectives are clear. Therefore there are areas of the proposed changes that require further clarification before comments can be provided.

The comments below focus on only the key changes to the Provincial Policy Statement. If a policy is not proposed to be revised it was not reviewed in the context of this Report.

Keeping in mind that the PPS is a broad and high-level policy document, the directions provided are intended to be further detailed and implemented through Official Plan policies consistent with the approaches outlined in the PPS.

The proposed revisions are posted on the Environmental Registry and have a commenting deadline of October 21, 2019 (Provincial representatives have advised that comments will continue to be received through October 25<sup>th</sup>).

#### **4. DISCUSSION & COMMENTS:**

The following is a summary of the most significant areas that are proposed to be changed in the Provincial Policy Statement, the intent of those changes and Staff comments respecting the changes. It is recommended that the comments be provided to the Province as the Township's comments.

##### **Increasing Housing Supply and Mix:**

Provincial intent: A stable housing market with sufficient supply will help make housing more attainable and affordable for the people of Ontario. It will also attract new investment and create investment-ready communities that are attractive to employers and provide workers with places to live.

The key changes proposed include the following:

- Municipalities to provide adequate land for a mix of land uses to meet projected needs for a 25 year planning horizon (increase from the present 20 year requirement)

This provision is consistent with the Growth Plan and the longer timeframe would benefit such things as infrastructure planning and coordination of servicing with future planned growth. **(Supported by Planning Staff)**

- Maintenance of a land supply that has the ability to accommodate residential growth for a minimum of 12 years (increased from 10) through intensification, redevelopment and greenfield development.

Similar to above. **(Supported by Planning Staff)**

- Development of housing to meet current and future needs

The Province appears to be proposing a "market-based approach" to housing, which tends to produce housing forms that are in the highest market demand at a particular point in time. This could create uncertainty in the long term for the provision of a range and mix of housing, and possibly impact the need for settlement area boundary expansions and ability to meet Provincial population targets. A more detailed explanation of what the Province

means by “market based housing approach” and what it is intended to produce, is necessary to better understand the objectives of the Province. **(Further Clarification Required)**

- Transit-supportive development is required, and intensification is prioritized, in proximity to transit (including corridor and station)

The Province is placing more emphasis on the integration of land use planning with transit-supportive development. Through the proposed changes the Province is promoting “the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning” that will make optimal use of transit investment and minimize land consumption and servicing costs. These are objectives also contained in other Provincial Plans, and therefore provide continuity of the policies of the Province. **(Supported by Planning Staff)**

Related to the above, there is an opportunity to review and coordinate these upper tier policies where they impact the ability to optimize use of single loaded arterial roads, transit corridors for employment land opportunities, and water/wastewater infrastructure (i.e. Bathurst Street).

### **Protecting the Environment and Public Safety**

Provincial Intent: The Made-in-Ontario Environment Plan includes a commitment to review land use policies that are critical to managing the impacts of a changing climate. Planning for extreme weather events helps protect people and property and makes financial sense.

The key changes proposed include the following:

- Enhance direction to prepare for impacts of a changing climate

The proposed changes provide additional direction and encouragement for Municipalities to “prepare for the impacts of a changing climate”. This is more specific direction than in the current PPS and is a necessary focus for the Provincial Policy Statement. **(Supported by Planning Staff)**

- Enhance stormwater management policies to protect water and support climate resiliency

The changes would see the additional directions that: stormwater management be integrated with planning of sewage and water treatment services to ensure that systems are optimized, feasible and financially viable; prepare for the impacts of a changing climate through effective management of stormwater; and promoting best practices, including water conservancy and efficiency. These policies are in addition to those that currently exist in the PPS and serve to enhance the Policy Statement directions with respect to stormwater management. **(Supported by Planning Staff).**

In addition to these matters, Provincial legislation is also required to address the ability to permit water recycling and reuse.

**Reducing Barriers and Costs**

Provincial Intent: A streamlined land use planning and development process which protects what is important – while reducing barriers and costs – supports economic growth and investment and the continued prosperity of Ontarians.

The key changes proposed include the following:

- Require municipalities to take action to fast-track development applications for certain proposals

The PPS would require “fast-tracking” of development applications, presumably in addition to the reduced timeframes applied through Bill 108. The proposed change to the PPS is:

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

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

It is not certain to what extent the Province intends that housing and job related applications are to be “fast-tracked”. Through Bill 108, the Township and its development review partners have been challenged with processing applications within very aggressive and constrained timeframes. It is not known if the PPS intends that these timeframes be further reduced. **(Further Clarification Required)**

What is not clear is the Province’s commitment to “fast-tracking” applications at the Provincial level, as was noted in the Township’s comments regarding Bill 108. Many processes that a Municipality utilizes in association with development review engages one or more bodies under the jurisdiction of the Province, yet from time to time municipal processes are hindered by the response time of these bodies. A commitment by the Province to improve response times is essential in order for Municipalities to meet the desired timeframes. **(Commitment from the Province to Improve Response Timeframes of Provincial Ministries and other Provincial Agencies).**

- Ground mounted solar would be permitted in prime agricultural and specialty crop areas as an on-farm diversified use.

While solar powered equipment would be permitted in prime agricultural areas, these would only be permitted as a secondary use, and function similar to an on-farm diversified use that would benefit the primary agricultural use of the property. **(Supported by Planning Staff)**

**Supporting Rural, Northern and Indigenous Communities**

Provincial Intent: Rural, northern and Indigenous communities are vital to Ontario’s continued prosperity and overall well-being.

The key changes proposed include the following:

- Enhance municipal engagement with Indigenous communities on land use planning to help inform decision-making, build relationships and address issues upfront in the approval process

If the changes came into effect as proposed, it would now become mandatory for municipalities to “engage” Indigenous communities on land use planning matters. Staff support the engagement requirement with Indigenous communities, however there needs to be additional clarification as to what is meant by “engagement” as the “duty to consult” is a federal and provincial mandate that has not been well defined with respect to the level of engagement. Clarification is also needed to guide which Indigenous communities are to be engaged as the proposed policy does not offer any parameters for individual Municipalities. **(Further Clarification Required)**

- Promote an agricultural systems approach to enhance agricultural protections to support critical food production and the agricultural sector as a significant economic driver.

A new policy proposed states that “Agricultural uses, agricultural-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards”. **It is suggested that for this policy to be more meaningful, the word “should” be replaced by “shall”.**

The Policy Statement largely does not differentiate between “prime agricultural areas” and “specialty crop areas” in terms of policy. The number of specialty crop areas within the Province of Ontario are extremely limited (only the Holland Marsh and Niagara Region) and Staff believes that these areas should receive the highest level of protection. It is recommended that the Province utilize this opportunity to make a distinction between prime agricultural and specialty crop areas and provide separate policy directions. One such policy should be that crops that can be readily grown elsewhere and/or are not food related should be restricted from being grown in specialty crop areas. A second direction should be that the Province provide a policy base to enable Municipalities to put in place policies and/or by-laws that would increase the protection of specialty crop areas for future generations. **(Province should consider differentiating between “prime agricultural areas” and “specialty crop areas” on a policy basis in the PPS.)**

### **Supporting Certainty and Economic Growth**

Provincial Intent: Economic opportunities and continued investment are vital to supporting jobs and the economic well-being of all Ontarians. Supporting jobs is a key priority of Ontario’s Open for Business agenda.

The key change proposed include the following:

- Provide municipalities with greater control over employment area conversions to support the forms of development and job creation that suit the local context (current and future).

Municipalities could consider the conversion of employment lands to non-employment uses outside of an MCR process by the Region, subject to certain criteria. It appears that the Province would allow municipalities to review employment area conversions to fit the local circumstances, but it is not clear whether these conversions are to be requested by private



interests only, or can a Municipality undertake them as well? It is also unclear when, and how often, these conversions can occur. **(Further Clarification Required)**

### **General Comments**

The changes require that Municipalities keep their Official Plans, Zoning By-laws and Development Permit Systems (if any) up-to-date with the Provincial Policy Statement.

This is a requirement for all Provincial legislation and is a necessary exercise for a Municipality to ensure that its planning documents stay in alignment with the policies of the Province. It is recommended that the Province consider the time and expense for a Municipality to undertake these conformity exercises, and undertake changes to Provincial documents in a coordinated manner so that Municipalities can avoid a continual cycle of conformity exercises.

The Province has indicated throughout the proposed changes, that it intends to update various Provincial reference documents that provide Municipalities implementing the policies with methodology, guidelines, standards and procedures. Without these documents to review, it is difficult to assess the impact of the proposed policy changes. **(Further Clarification Required)**

In the event that the proposed changes are approved, transition provisions will determine how and when the revised Provincial Policy Statement takes effect and when decisions are to be made consistent with the document. There has been no indication to-date as to when this will occur as the consultation period is still being undertaken. How the transition period is managed and the time which Municipalities will have to transition to the new policy regime is important. The Province should be advised that an adequate transition period timeframe is necessary for local Municipalities to accommodate changes through its policy documents and planning processes.

Overall, Planning staff is generally supportive of the changes being proposed to the Provincial Policy Statement. Planning Staff do have concerns with respect to certain proposed changes as noted above. Other suggested changes require further clarification before Staff are able to provide specific comments. It is recommended that the above comments are forwarded to the Province for consideration prior to a final decision on changes to the Provincial Policy Statement.

### **5. INTEGRATED SUSTAINABILITY PLAN LINKAGE:**

The proposed changes to the Provincial Policy Statement have direct linkages to the Integrated Sustainability Plan and its four pillars. Given that the PPS provides a high level policy direction from the Province, and relates to many of the areas incorporated into the Sustainability Plan, a fulsome review of how the changes would impact the ICSP is not included herein. Should the changes proposed to the PPS be approved, the ICSP (which is currently undergoing a "refresh") will be reviewed in the context of these changes and updated, as necessary.

### **6. FINANCIAL IMPLICATIONS:**

At this time, Staff does not foresee any financial implications with respect to this Report. As and when the Province makes supplementary details/information available, Staff will provide further clarity and context to Council.

**7. CONCLUSION:**

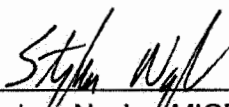
The proposed changes to the Provincial Policy Statement Bill are intended to: encourage the development of an increased mix and supply of housing; protect the environment and public safety; reduce barriers and costs for development and provide greater predictability; support rural, northern and Indigenous communities; support the economy and jobs; and maintain protections for the Greenbelt.

The above review provides a high-level of the proposed changes, and has outlined a number of concerns, the majority of which relate to the lack of suitable information, rationale and implementation details for the proposed changes. Upon the release of these further details the full impact of the proposed revisions will be able to be fully assessed. In the interim it is recommended that this Report be provided to the Province as the submission on behalf of the Township of King.

**8. ATTACHMENTS:**

NA

Prepared, Review & Submitted By:

  
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Stephen Naylor, MICP, RPP  
Director of Planning & Development