

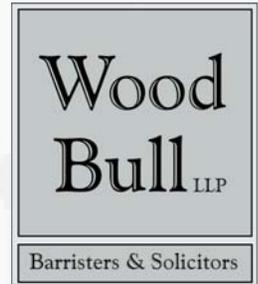
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MUNICIPAL, PLANNING & DEVELOPMENT LAW

# Provincial Role in Planning and Development: Provincial Plans

# Distribution of Legislative Powers: Federal/Provincial/Municipal: *Constitution Act, 1867*

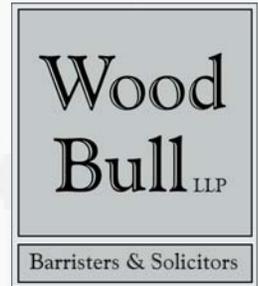


## *Powers of the Parliament (Federal) (Section 91)*

It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make laws for the Peace, Order, and good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces ... it is hereby declared ... the exclusive Legislative Authority of the Parliament of Canada extends to all matters coming within the Classes of Subjects and next hereinafter enumerated ...

10. Navigation and Shipping
12. Sea Coast and Inland Fisheries

# Distribution of Legislative Powers: Federal/Provincial/Municipal: *Constitution Act, 1867*

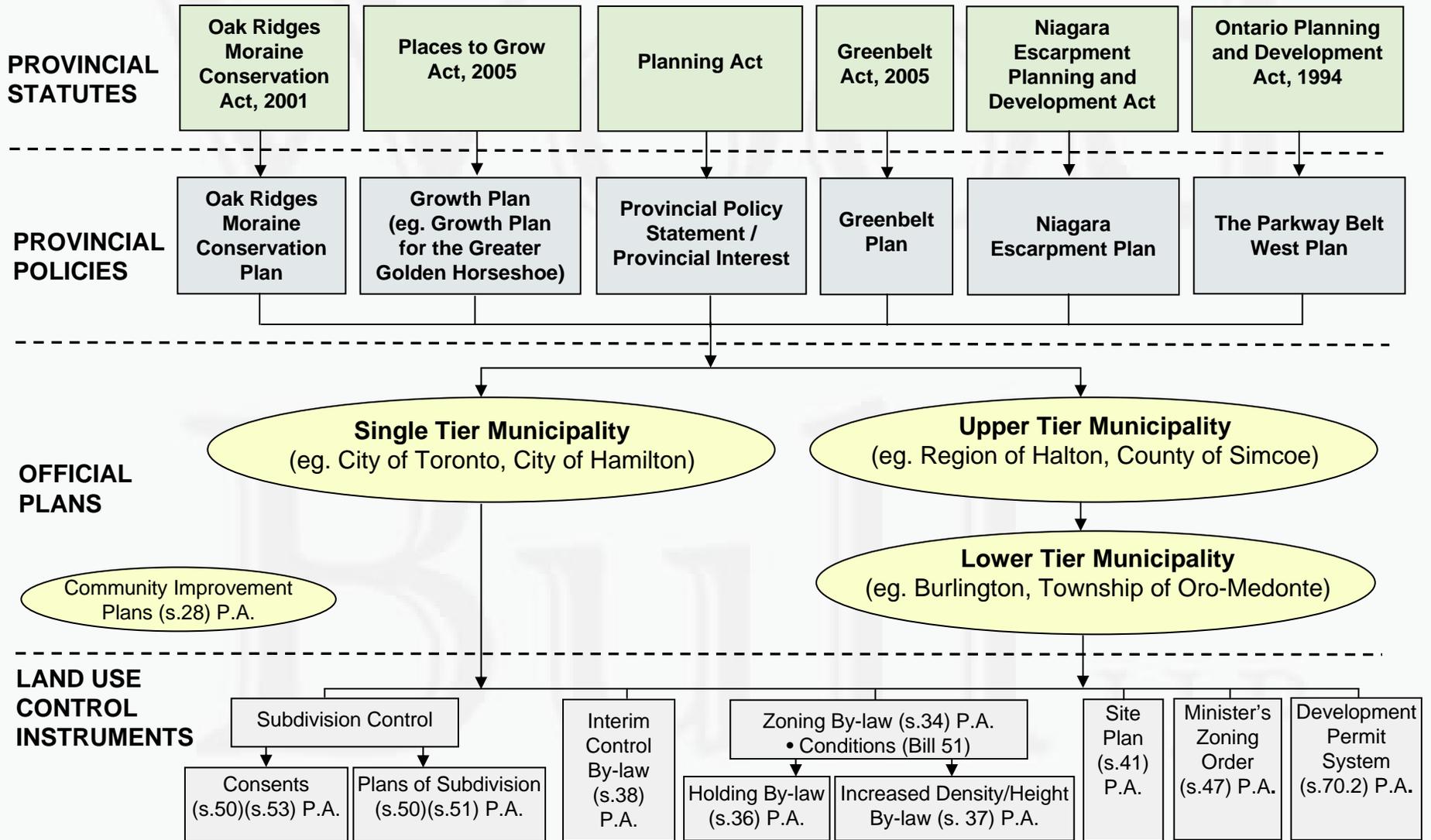
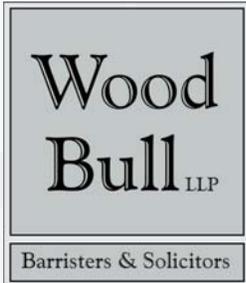


## *Exclusive Powers of Provincial Legislatures (Section 92)*

In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subject next hereinafter enumerated ...

8. Municipal Institutions in the Province
10. Local works and Undertakings other than such as are the following classes ...
13. Property and Civil Rights in the Province
16. Generally all Matters of a merely local or private Nature in the Province

# Provincial / Municipal Planning Structure



# Provincial Planning Structure

- Land Use Planning and Legislative Framework
  - Ontario Planning and Development Act, 1994
    - Parkway Belt West Plan
  - Niagara Escarpment Planning and Development Act, 2001
    - Niagara Escarpment Plan
  - Oak Ridges Moraine Conservation Act, 2001
    - Oak Ridges Moraine Conservation Plan
  - Greenbelt Act, 2005
    - Greenbelt Plan
  - Places to Grow Act, 2005
    - Draft Growth Plan
  - Planning Act
    - Provincial Policy Statement / Provincial Interest

# Municipal Planning Structure

- Official Plan (single tier / upper tier / lower tier)
  - Community Improvement Plan
- Land Use Control Instruments
  - Subdivision Control
    - Consent
    - Plan of Subdivision
  - Interim Control By-law
  - Zoning By-law
    - Holding By-law
    - Increased Height / Density By-law (s.37 Agreements)
    - Conditional Zoning (Bill 51)
  - Site Plan
  - Development Permit System
  - Minister's Zoning Order

# Ontario Planning and Development Act

**Ontario Planning and Development Act, 1994**

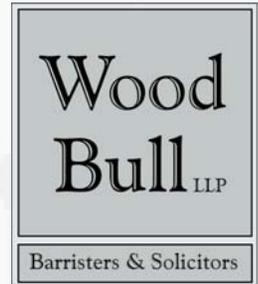


**Parkway Belt West Development Planning Area**



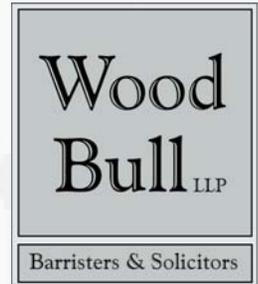
**Parkway Belt West Plan**

# Ontario Planning and Development Act



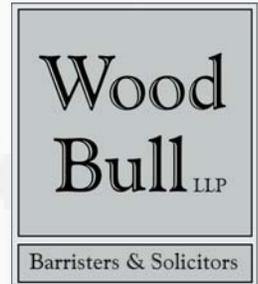
- A development planning area established under the *Parkway Belt Planning and Development Act* shall be deemed to be a development planning area under this Act. (section 22(5))
- The Parkway Belt Plan, also known as the Parkway Belt West Plan, shall be deemed to be a plan under this Act. (section 22(1))
- The Parkway Belt Plan does not apply to lands that are part of the Niagara Escarpment Planning Area (section 22.1(1))

# Ontario Planning and Development Act



- By-laws, improvements of a structural nature, undertakings and developments to conform with the Parkway Belt West Plan (section 13)
- The Parkway Belt West Plan prevails in the case of a conflict between the Plan and an official plan or zoning by-law (section 14)

# Ontario Planning and Development Act

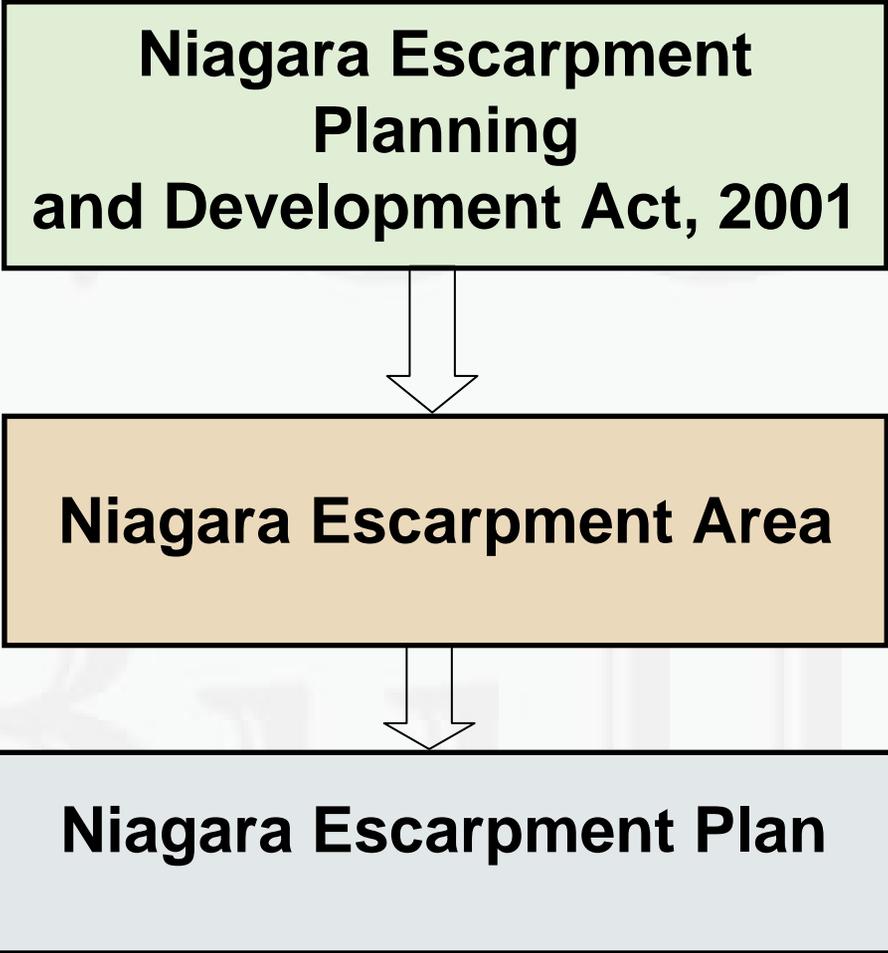


- The Minister may make a zoning order in respect of lands covered by a development plan, which order:
  - need not conform to an official plan in effect in the area covered by the order (section 17)
  - is not subject to section 3 of the Planning Act (section 17)
  - need not conform with the development plan. (section 18)

# Ontario Planning and Development Act: Parkway Belt West Plan



# Niagara Escarpment Planning and Development Act



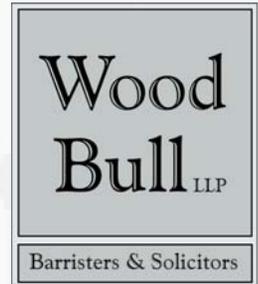
# Niagara Escarpment Planning and Development Act

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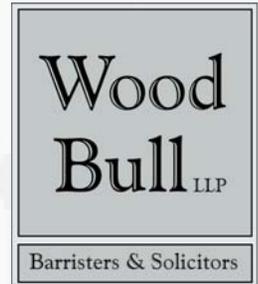
- Establishment of Niagara Escarpment Planning Area (section 3(1))
- Preparation of Niagara Escarpment Plan (section 3(2))
- Objectives of the Niagara Escarpment Plan (section 8)

# Niagara Escarpment Planning and Development Act



- By-laws, improvements of a structural nature, undertakings and developments to conform with the Niagara Escarpment Plan (section 13)
- The Niagara Escarpment Plan prevails in the case of a conflict between the Plan and an official plan or zoning by-law (section 14)

# Niagara Escarpment Planning and Development Act



- The Minister may by regulation designate any area of land within the Niagara Escarpment Planning Area as an area of development control (section 22)
- No development can be undertaken in an area of development control unless exempt or unless it complies with a development permit (section 24(1))
- A person who contravenes section 24(1) is guilty of an offence (section 24(4))

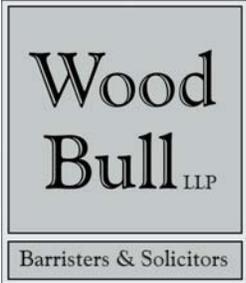
# Niagara Escarpment Planning and Development Act

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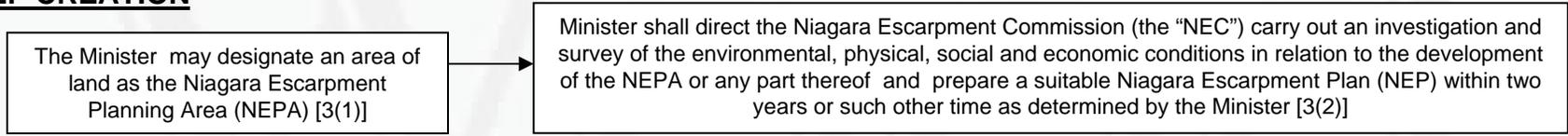
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- If there is a conflict between the Greenbelt Plan and the Niagara Escarpment Plan, the Niagara Escarpment Plan prevails over the Greenbelt Plan in its area of application (section 8(2) of the *Greenbelt Act, 2005*)

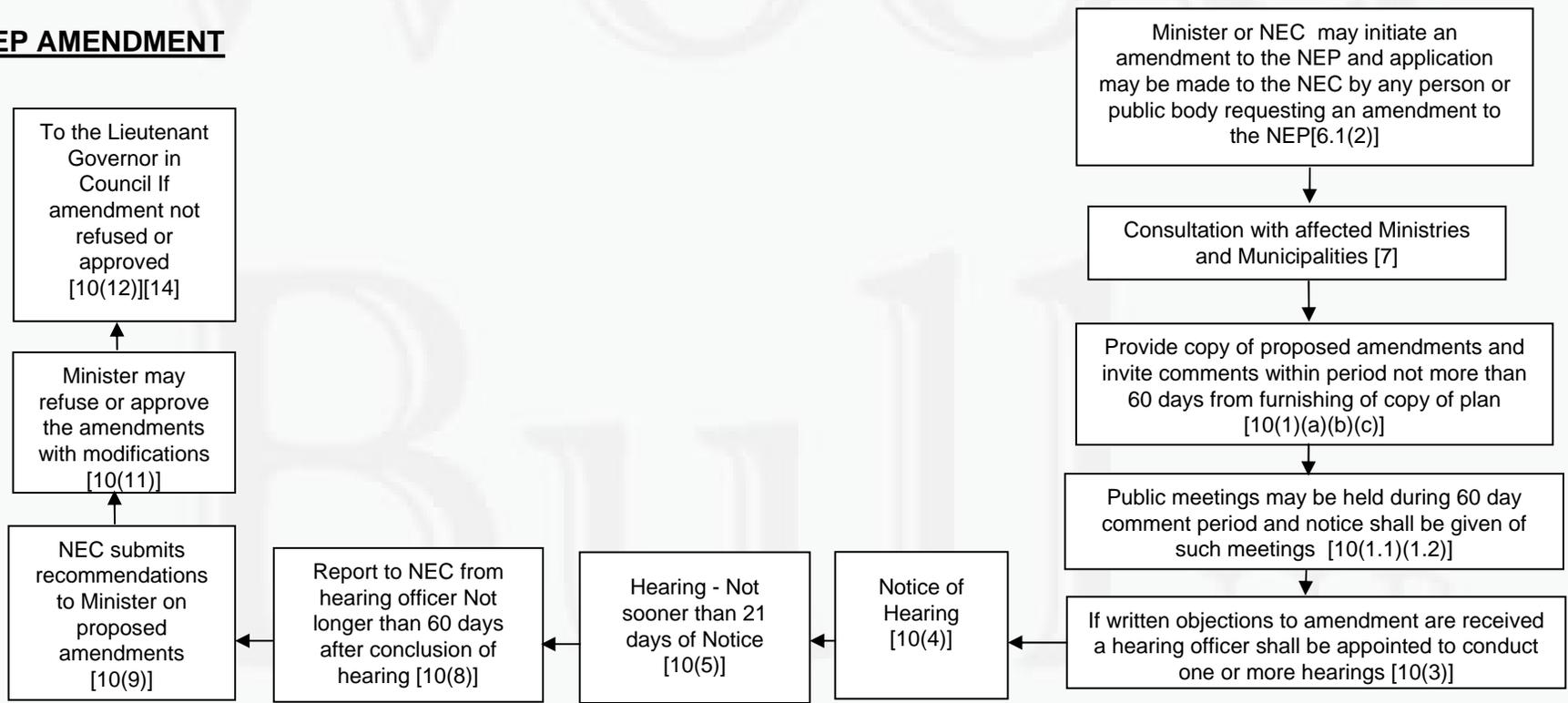
# Niagara Escarpment Planning and Development Act



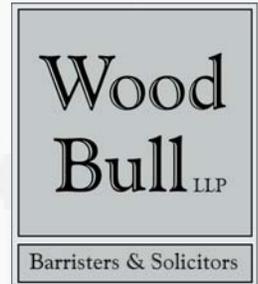
## NEP CREATION



## NEP AMENDMENT



# Niagara Escarpment Planning and Development Act



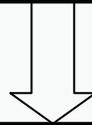
- The Minister shall cause a review of the Niagara Escarpment Plan to be carried out at the same time the review of the Greenbelt Plan is carried out under the *Greenbelt Act, 2005*. (section 17)
- Section 17 applies to the review that began on June 15, 1999 and to subsequent reviews.

# Oak Ridges Moraine Conservation Act, 2001

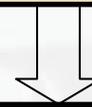
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**Oak Ridges Moraine  
Conservation Act,  
2001**

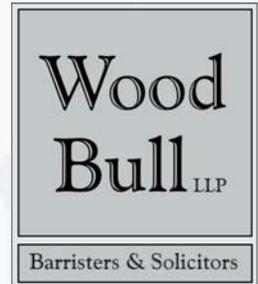


**Oak Ridges Moraine  
Area**



**Oak Ridges Moraine  
Conservation Plan**

# Oak Ridges Moraine Conservation Act, 2001

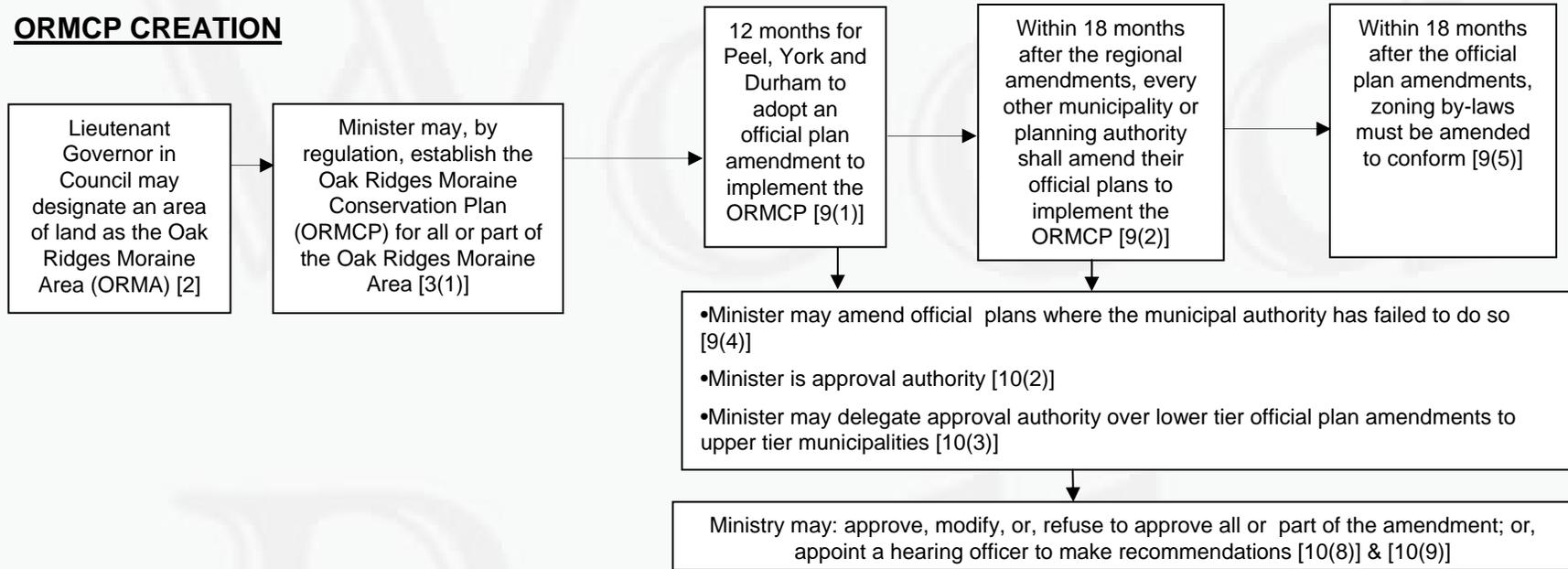


- Received Royal Assent on December 14, 2001
- Designation of Oak Ridges Moraine Area (section 2)
- Establishment of Oak Ridges Moraine Conservation Plan (section 3)

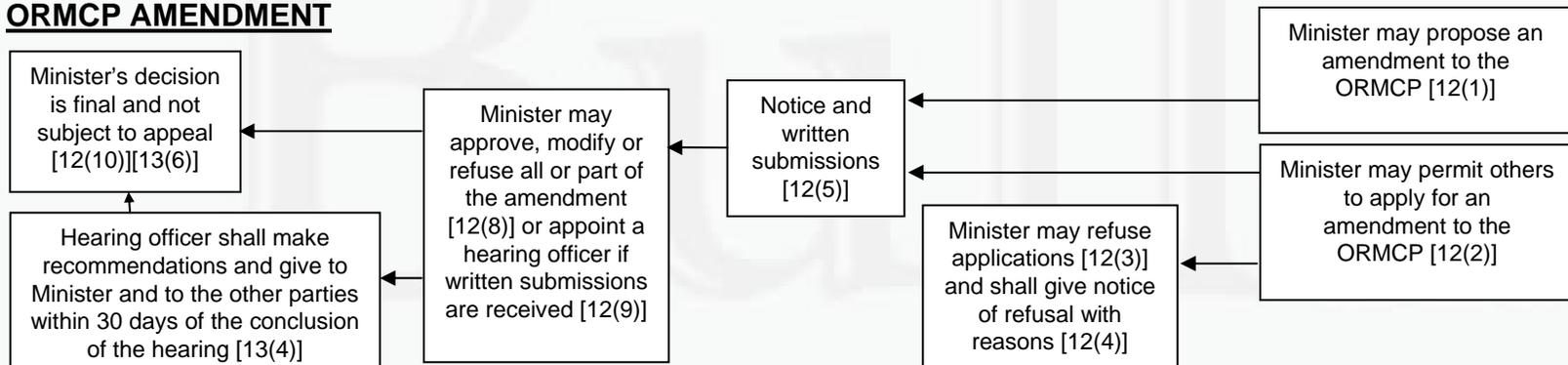
# Oak Ridges Moraine Conservation Act, 2001



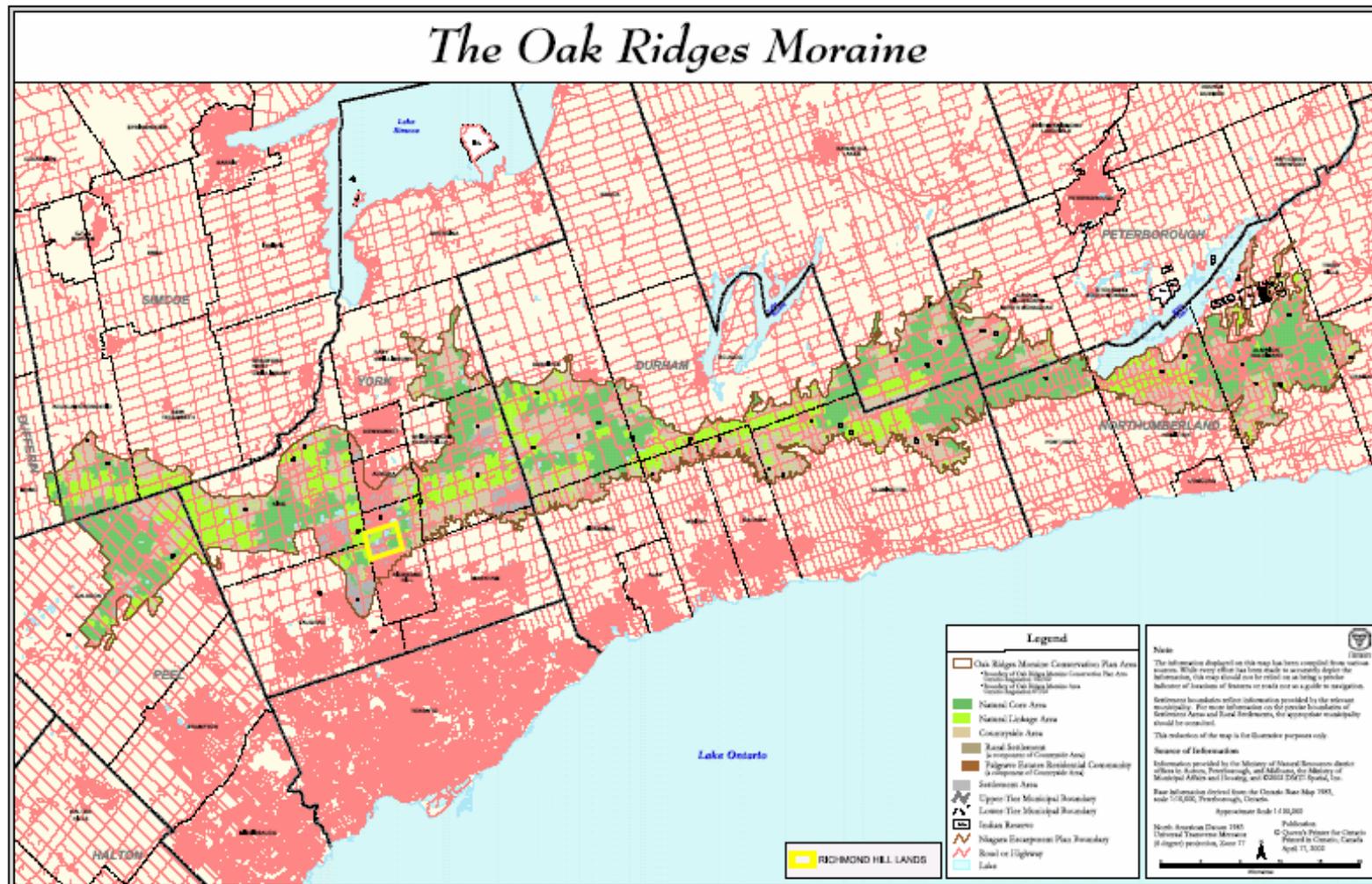
## ORMCP CREATION



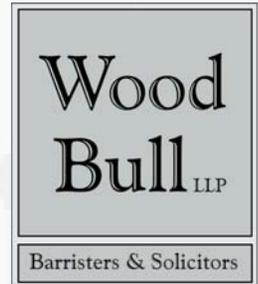
## ORMCP AMENDMENT



# Oak Ridges Moraine Area

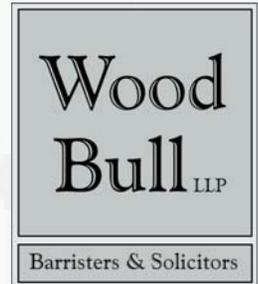


# Oak Ridges Moraine Conservation Act, 2001



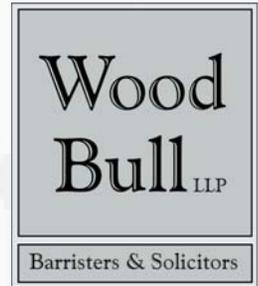
- All decisions on planning applications shall conform with the policies in the Oak Ridges Moraine Conservation Plan (section 7)
- The Oak Ridges Moraine Conservation Plan prevails in the case of a conflict between the Plan and an official plan, a zoning by-law, or a policy statement issued under section 3 of the *Planning Act* (section 8)

# Oak Ridges Moraine Conservation Act, 2001



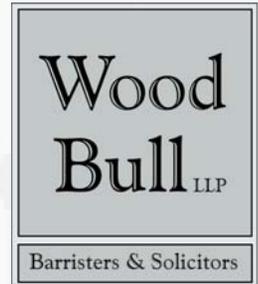
- Official plans and zoning by-laws for lands subject to the Conservation Plan are required to be amended to conform. (section 9)
- A person who contravenes a prohibition contained in the Oak Ridges Moraine Conservation Plan or who fails to comply with a restriction in the Plan is guilty of an offence. (section 24)

# Oak Ridges Moraine Conservation Act, 2001



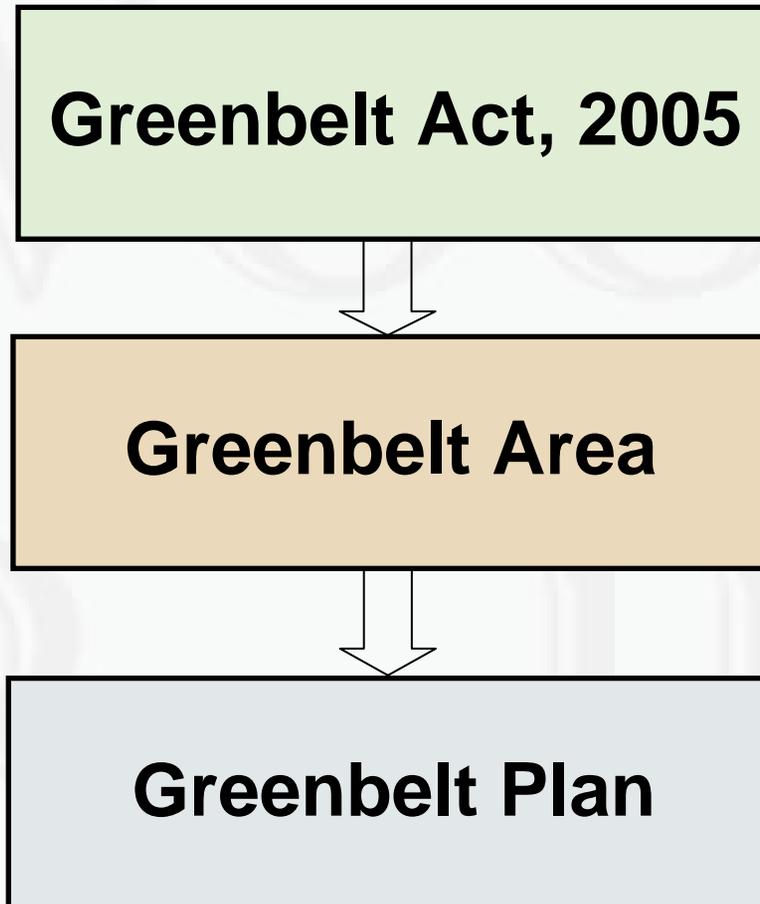
- If there is a conflict between the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan, the Oak Ridges Moraine Conservation Plan prevails over the Greenbelt Plan in its area of application (section 8(2) of the *Greenbelt Act, 2005*)

# Oak Ridges Moraine Conservation Act, 2001



- The Minister shall ensure that a review of the Plan is carried out at the same time the review of the Greenbelt Plan is carried out under the *Greenbelt Act, 2005* to determine whether the Plan should be revised. (section 3)
- A review under subsection (3) shall not consider removing land from the natural core areas or the natural linkage areas. (section 4)

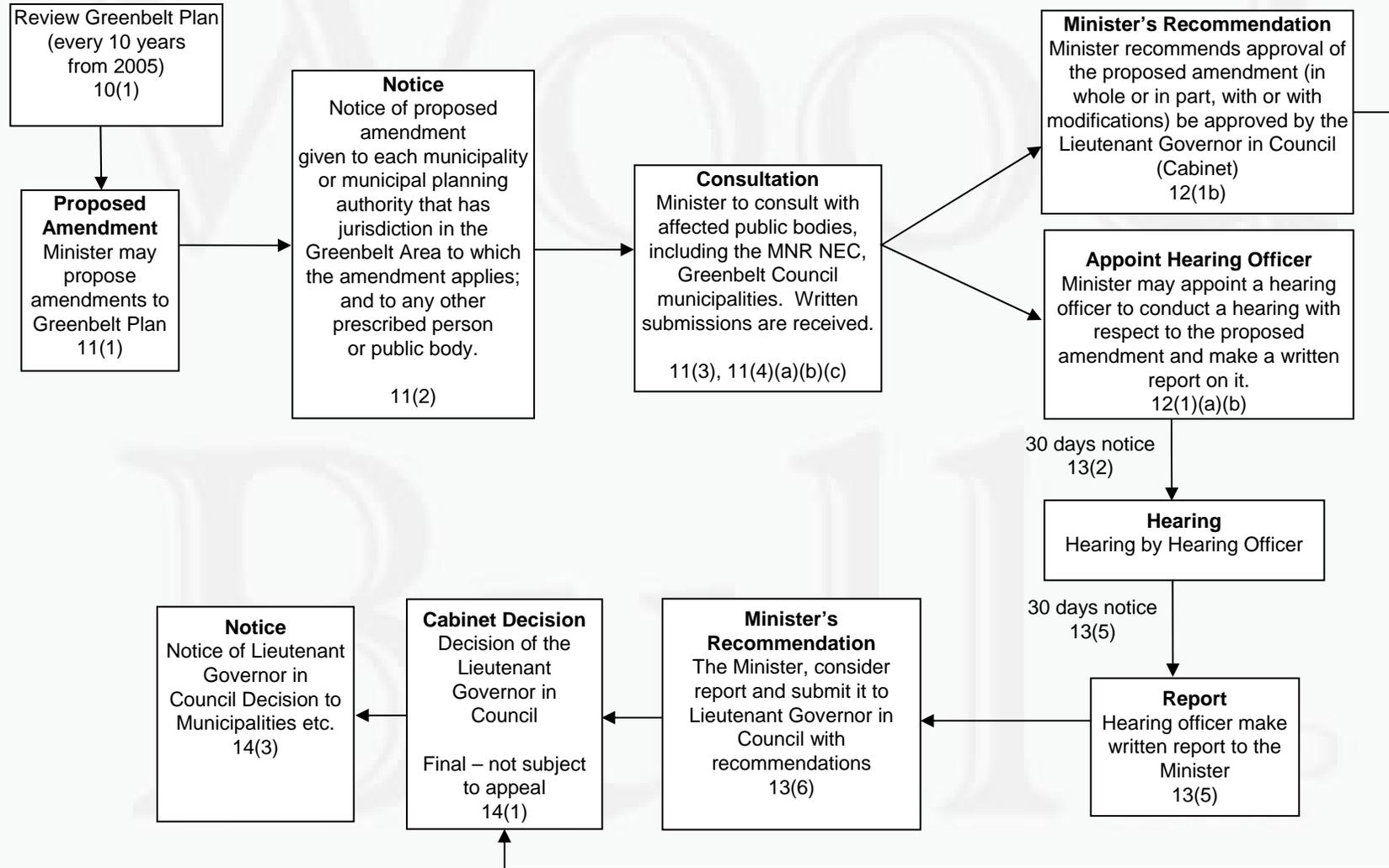
# Greenbelt Act, 2005



# Greenbelt Act, 2005

- Received Royal Assent on February 24, 2005
- Deemed to have come into force on December 16, 2004
- Designation of Greenbelt Area (section 2)
  - No amendment if reduces total land area
- Establishment of Greenbelt Plan (section 3, Reg. Tab 13)
  - Plan for Greenbelt Area
- Establishment of Greenbelt Council (section 15)

# Greenbelt Act, 2005



# Greenbelt Act, 2005

## Decisions to conform to plan

A decision that is made under

- the *Ontario Planning and Development Act, 1994*,
- the *Planning Act* or
- the *Condominium Act, 1998* or
- in relation to a *prescribed matter* by a municipal council, local board, municipal planning authority, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Municipal Board,

shall conform with the Greenbelt Plan. (section 7(1))

## Limitation

Section 7(1) does not apply to a policy statement issued under section 3 of the *Planning Act*. (section 7(2))

# Greenbelt Act, 2005

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## **Actions to conform to plan**

No municipality or municipal planning authority shall, within the areas to which the Greenbelt Plan applies,

- (a) undertake any public work, improvement of a structural nature or other undertaking that conflicts with the Greenbelt Plan; or
- (b) pass a by-law for any purpose that conflicts with the Greenbelt Plan. (section 7(3))

## **Comments, advice**

Comments, submissions or advice provided by a minister of the Crown, a ministry, board, commission or agency of the Government of Ontario or a conservation authority established under section 3 of the *Conservation Authorities Act* that affect a planning matter relating to lands to which the Greenbelt Plan applies shall conform with the Greenbelt Plan. (section 7(4))

# Greenbelt Act, 2005

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## **Section 1.4.1, Greenbelt Plan:**

**Where more specific provincial plans or regulations apply to lands within the Greenbelt, including plans under the *Ontario Planning and Development Act, 1994*, the more specific plan or regulation shall apply.**

# Greenbelt Act, 2005

## Conformity

The council of a municipality or a municipal planning authority located within any of the areas designated as Protected Countryside in the Greenbelt Plan shall amend every official plan to conform with the Greenbelt Plan,

- (a) no later than the date the council is required to make a determination under subsection 26 (1) of the *Planning Act*, if the Minister does not direct the council to make the amendments on or before a specified date; or
- (b) no later than the day specified by the Minister, if the Minister directs the council to make the amendments on or before a specified date. (section (9)(1))

*[note: s.26(1), Planning Act addresses the 5 year review of an official plan]*

## Same

For the purposes of subsection (1), a provision in an official plan that relates to a matter specified under subclause 6 (2) (e) (ii) does not conform with the Greenbelt Plan if it exceeds the requirements of the Greenbelt Plan or is more restrictive than a provision in the Greenbelt Plan. (section (9)(2))

# Greenbelt Act, 2005

- **Objectives of the Greenbelt Plan (section 5)**

- (a) to establish a network of countryside and open space areas which supports the Oak Ridges Moraine and the Niagara Escarpment;
- (b) to sustain the countryside, rural and small towns and contribute to the economic viability of farming communities;
- (c) to preserve agricultural land as a continuing commercial source of food and employment;
- (d) to recognize the critical importance of the agriculture sector to the regional economy;
- (e) to provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the Greenbelt Area;
- (f) to promote connections between lakes and the Oak Ridges Moraine and Niagara Escarpment;
- (g) to provide open space and recreational, tourism and cultural heritage opportunities to support the social needs of a rapidly expanding and increasingly urbanized population;
- (h) to promote linkages between ecosystems and provincial parks or public lands;
- (i) to control urbanization of the lands to which the Greenbelt Plan applies;
- (j) to ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner;
- (k) to promote sustainable resource use;
- (l) any other prescribed objectives.

# Greenbelt Act, 2005

- **Content of the Greenbelt Plan (section 6)**

The Greenbelt Plan may set out policies with respect to the lands to which the Greenbelt Plan applies, including,

- (a) land use designations;
- (b) policies to support co-ordination of planning and development programs of the various ministries of the Government of Ontario;
- (c) policies to support co-ordination of planning and development among municipalities; and
- (d) policies with respect to transitional matters that may arise in the implementation of the Greenbelt Plan.

# Greenbelt Act, 2005

- **Content of the Greenbelt Plan (section 6)**

**The Greenbelt Plan may set out policies with respect to the areas designated by it as Protected Countryside, including,**

- (a) policies prohibiting any use of land or the erection, location and use of buildings or structures for, or except for, such purposes as may be set out;**
- (b) policies restricting or regulating the use of land or the erection, location and use of buildings or structures;**
- (c) policies relating to land and resource protection and land development; and**
- (d) policies for the economic and physical development of the land including,**
  - (i) the management of land and water resources,
  - (ii) the development of major servicing, communication and transportation systems,
  - (iii) the identification of major land use areas and the provision of major parks and open space, and
  - (iv) the development of cultural, recreational and tourism facilities;

# Greenbelt Act, 2005

- Content of the Greenbelt Plan (section 6)

- (e) **policies,**

- (i) prohibiting official plans and zoning by-laws from containing provisions that relate to specified matters and are more restrictive than the provisions relating to such matters that are contained in the Greenbelt Plan, and
    - (ii) specifying matters referred to in subclause (i);

- (f) **land use policies to support the long-term viability of agriculture in the Protected Countryside; and**

- (g) **such other policies as may be prescribed.**

# Greenbelt Act, 2005

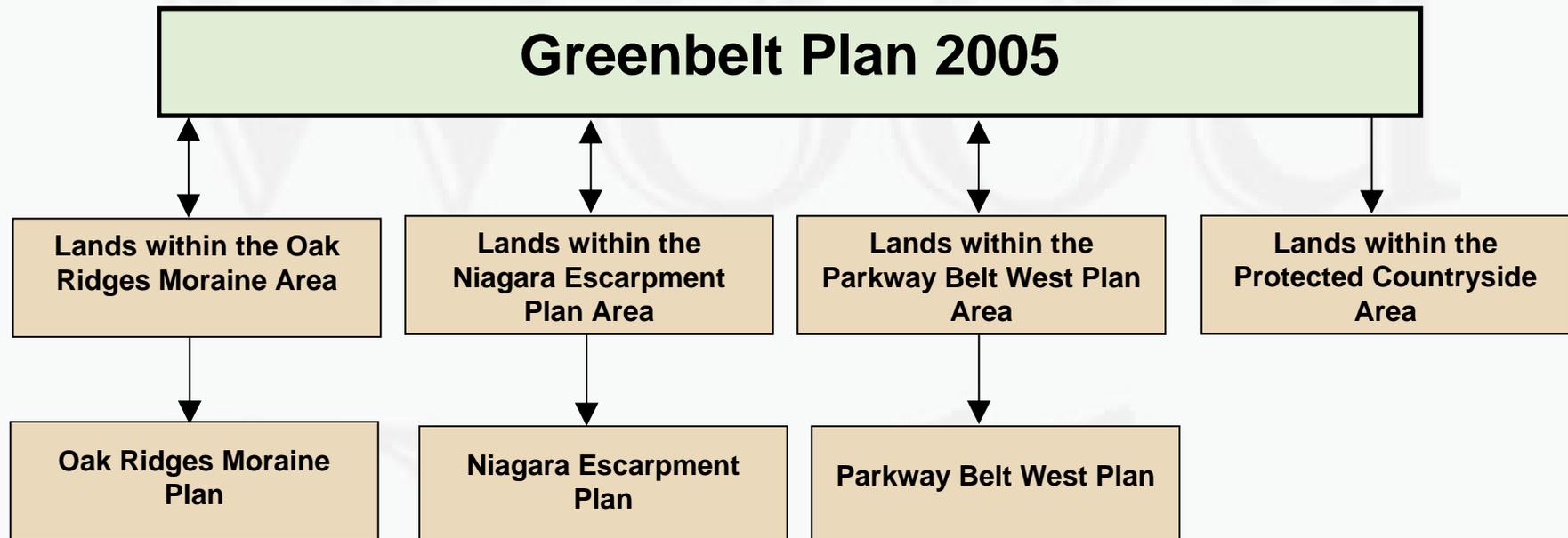
- Amendment to Plan (section 11)
  - Proposed by the Minister
  - No municipality/private amendment applications
  - No reduction in total land area within the Greenbelt Plan (section 12(2))



# Greenbelt Plan (February 28, 2005)

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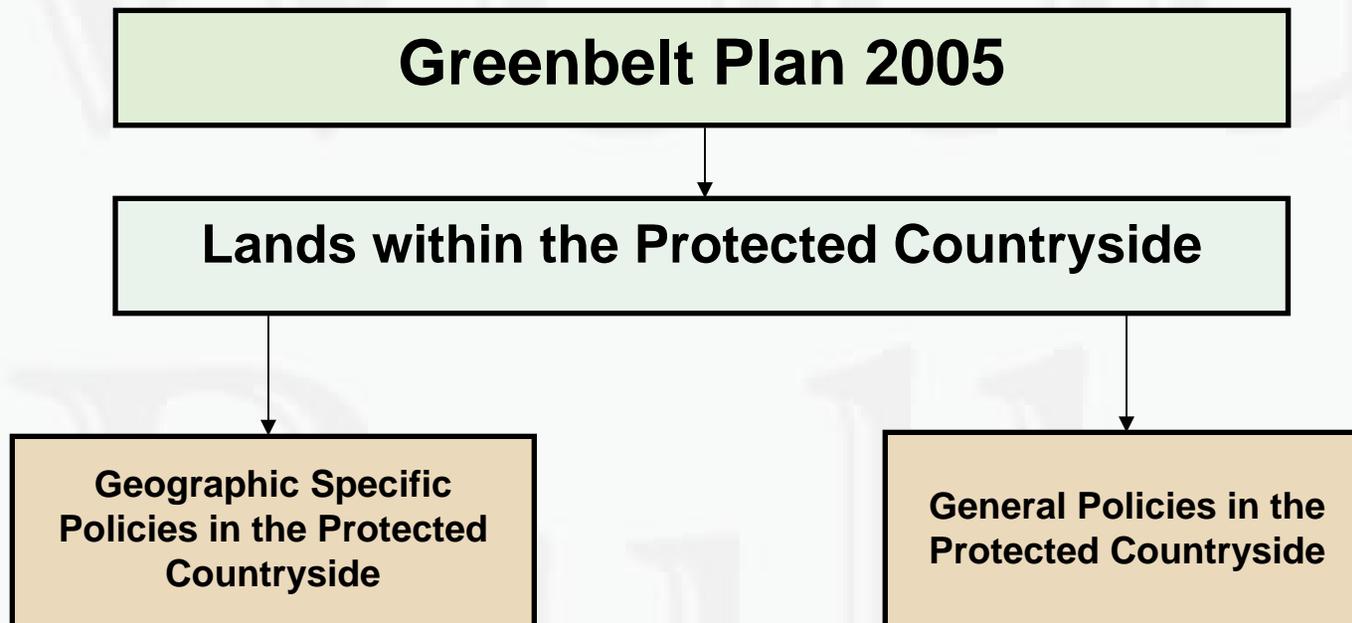
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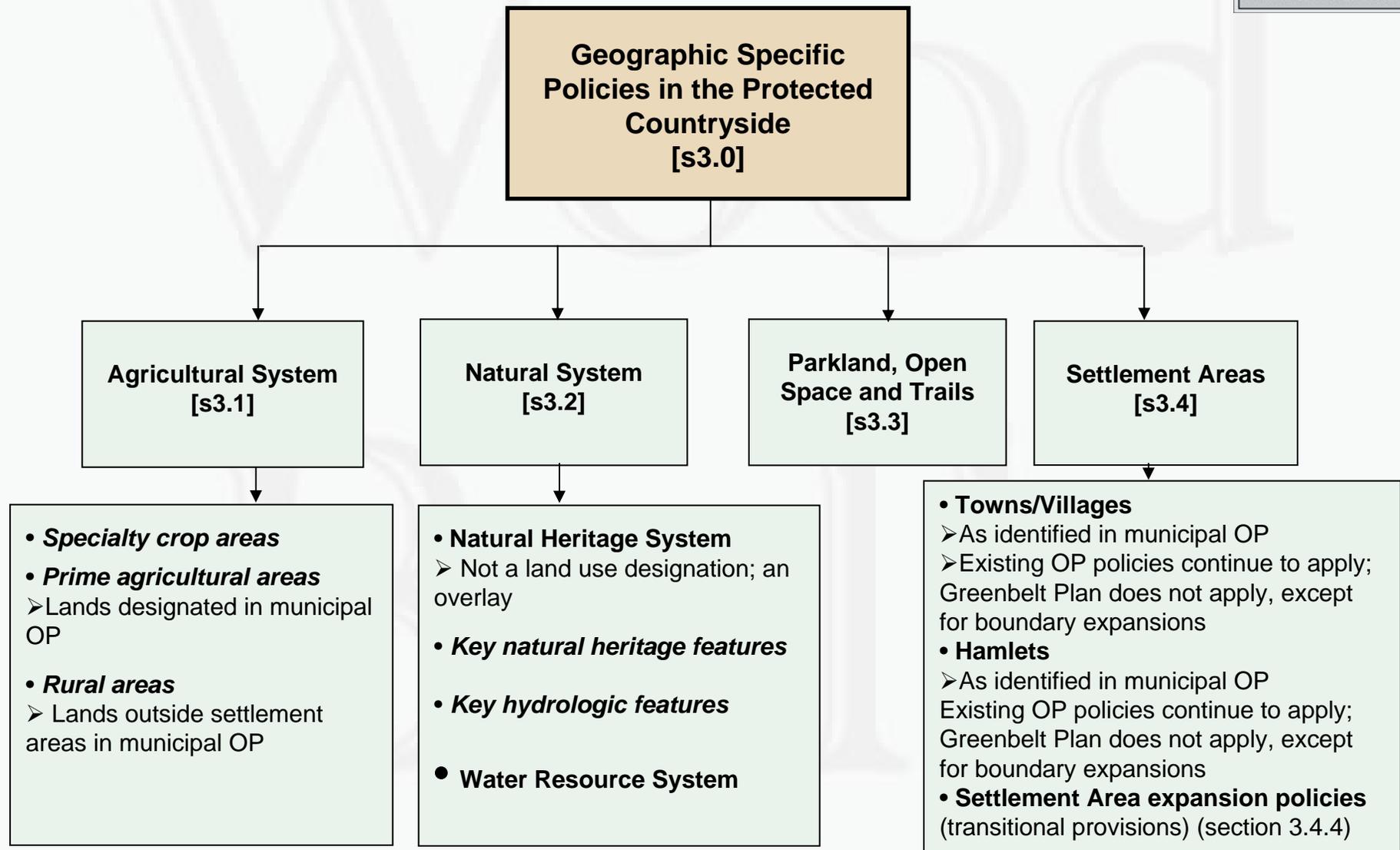
# Greenbelt Plan (February 28, 2005)

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# Greenbelt Plan (February 28, 2005)



# Greenbelt Plan: Settlement Areas

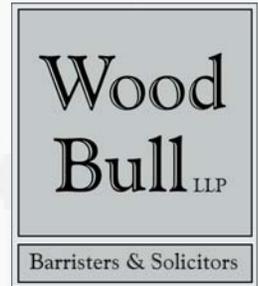
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***Settlement Areas*** – Means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) Built up areas where development is concentrated and which have a mix of land uses; and
- b) Lands which have been designated in an official plan for development. (PPS. 2005).

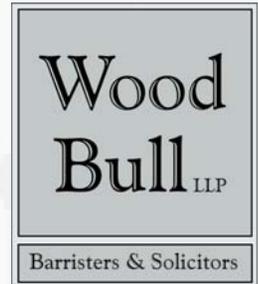
# Greenbelt Plan: Expansion of Settlement Areas within the Greenbelt: Towns/Villages



For lands within Town/Villages in the Protected Countryside, the following policies shall apply:

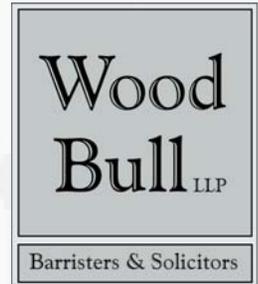
1. Towns/Villages, as identified in municipal official plans and within their approved boundaries as they existed on the date this Plan came into effect, continue to be governed by municipal official plans and related programs or initiatives and are not subject to the policies of this Plan, save for the external connections policies of section 3.2.5.
2. Municipalities are encouraged to continue their efforts to support the long-term vitality of these settlements through appropriate planning and economic development approaches which seek to maintain, intensify and/or revitalize these communities. This includes modest growth that is compatible with the long-term role of these settlements as part of the Protected Countryside and the capacity to provide locally based sewage and water services.

# Greenbelt Plan: Expansion of Settlement Areas within the Greenbelt: Towns/Villages



4. Extensions or expansions of services to *settlement areas* within the Protected Countryside shall be subject to the *infrastructure* policies of section 4.2 of this Plan, including the requirements regarding environmental assessments.
5. At the 10-year Greenbelt Plan review period, modest *settlement area* expansions may be possible for Towns/Villages, provided the proposed growth:
  - (a) Is on *municipal sewage and water services*;
  - (b) Would not exceed the assimilative and water production capacities of the local environment as determined on a watershed or subwatershed basis;
  - (c) Complies with any applicable *watershed plan*;
  - (d) Does not extend into the Natural Heritage System;
  - (e) Does not extend into *specialty crop areas*; and
  - (f) Appropriately implements the requirements of any other provincial and municipal policies, plans, strategies or regulations, including requirements for assessment of need, locational and similar considerations. (Section 3.4.2)

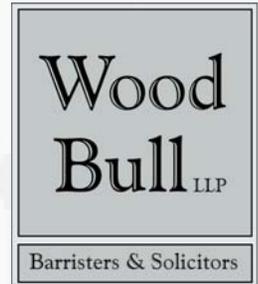
# Greenbelt Plan: Expansion of Settlement Areas within the Greenbelt: Hamlets



For lands within Hamlets in the Protected Countryside, the following policies shall apply:

1. Hamlets, as identified in municipal official plans and within their approved boundaries as they existed on the date this Plan came into effect, continue to be governed by municipal official plans and related programs or initiatives ...
2. Outside of *specialty crop areas*, minor rounding out of Hamlet boundaries at the time of municipal conformity is also permitted in keeping with the character of the Hamlet ... (Section 3.4.3)

# Greenbelt Plan: Expansion of Settlement Areas within the Greenbelt: Transitional Policy



For *settlement areas* within the Protected Countryside, notwithstanding the policies of section 4.2.1, the following additional policies apply to municipally initiated *settlement area* expansion proposals:

1. Where a municipality had initiated the consideration of a settlement expansion prior to the date this Plan came into effect, such an expansion may be considered through the municipality's exercise to bring its official plan into conformity with this Plan as described in the municipal implementation policies of section 5.2. The proposed expansion shall:
  - (a) Prior to December 16, 2003, be supported by:
    - (i) A council resolution authorizing the consideration of such an expansion; and
    - (ii) The substantial completion of background studies or reports by municipal staff or planning consultants, or the expenditure of municipal funds on the consideration of such expansion.
  - (b) Not extend into the Natural Heritage System;
  - (c) Not extend into *specialty crop areas*; and
  - (d) Maintain the rural and/or existing character of the *settlement area*.

# Greenbelt Plan: Expansion of Settlement Areas within the Greenbelt: Transitional Policy

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2. Clause 3.4.4.1 does not apply to:
  - (a) Those lands within the City of Pickering, in the Regional Municipality of Durham, bounded by the CPR Belleville Line in the south; the York- Durham Townline to the west; and West Duffins Creek to the east; and
  - (b) Those lands within the Town of Markham, in the Regional Municipality of York, bounded by the York-Durham Townline to the east; Steeles Avenue to the south; the Little Rouge River to the west; and, 16th Avenue to the north. (Section 3.4.4)

# Greenbelt Plan: Expansion of Settlement Areas Into the Greenbelt

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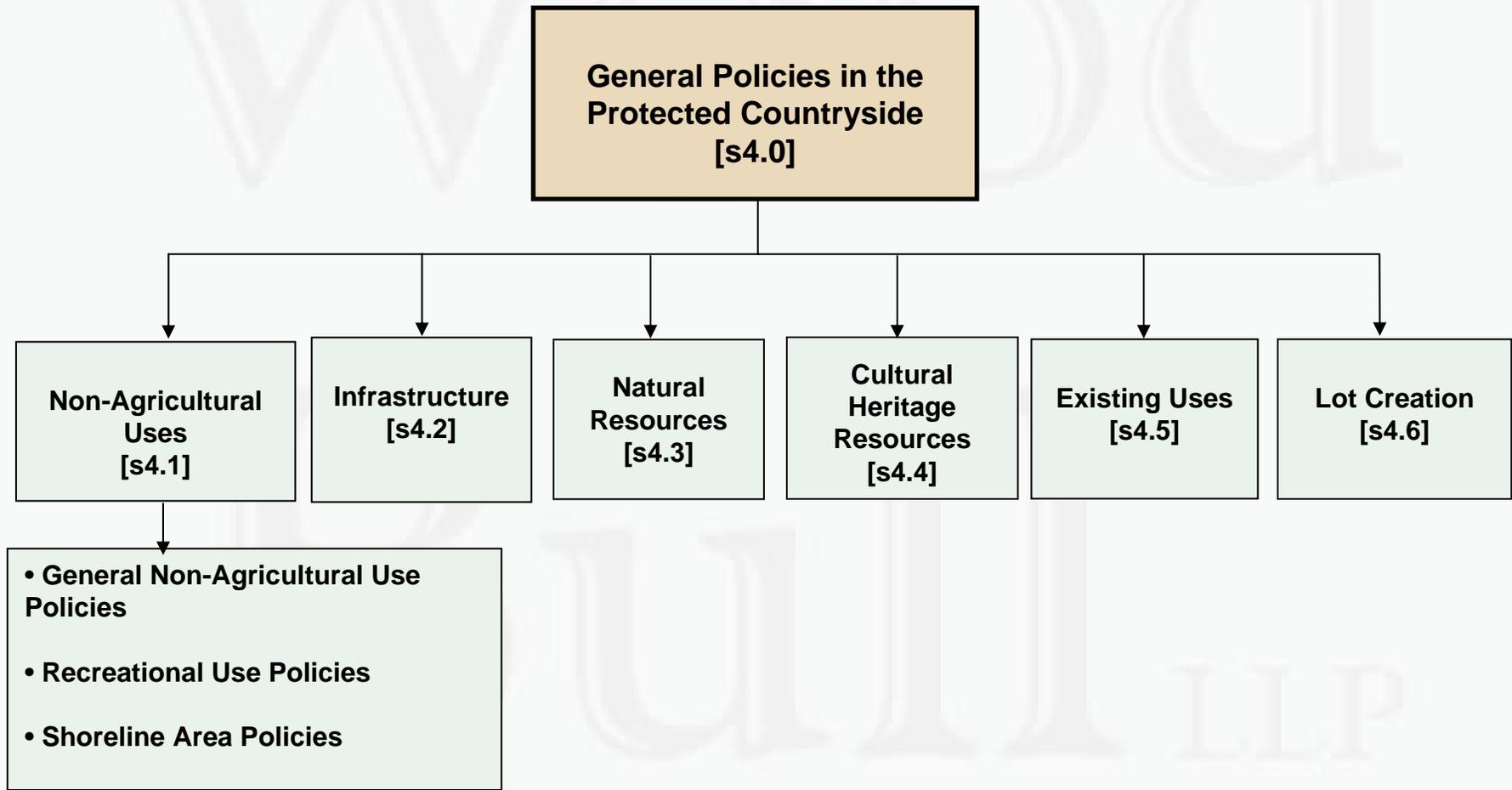
*Settlement areas* outside the Greenbelt are not permitted to expand into the Greenbelt.

(Section 3.4.2.3)

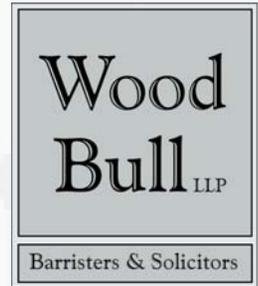
# Greenbelt Plan (February 28, 2005)

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# Greenbelt Act, 2005: Review of the Plan



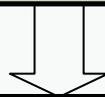
- The Minister shall ensure that a review of the Greenbelt Plan is carried out every 10 years after the date the Greenbelt Plan comes into force to determine whether it should be revised. (section 10)
- This review shall be carried out in conjunction with the reviews carried on under section 17 of the *Niagara Escarpment Planning and Development Act* and under section 3 of the *Oak Ridges Moraine Conservation Act, 2001*.

# Places to Grow Act, 2005

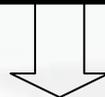
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**Places to Grow Act,  
2005**



**Growth Plan Area**



**Growth Plan**  
for the Greater Golden  
Horseshoe (2006)

# Places to Grow Act, 2005

- Received Royal Assent on June 13, 2005
- Purposes of the *Act* (section 1)
- Designation of a “growth plan area” (section 3)
- Preparation of a proposed growth plan for all or part of a “growth plan area” (section 4)
  - Advisory Committee may be appointed to advise Minister on growth plan, amendments, etc. (section 5)

# Places to Grow Act, 2005

- Contents of a growth plan (section 6)

**A growth plan may contain,**

- (a) population projections and allocations;**
- (b) an assessment and identification of priority growth areas, emerging growth areas and future growth areas, over specified time periods;**
- (c) growth strategies for all or part of the growth plan area;**

# Places to Grow Act, 2005

- Contents of plan (section 6)

- (d) policies, goals and criteria in relation to,

- (i) intensification and density,
    - (ii) land supply for residential, employment and other uses,
    - (iii) expansions and amendments to the boundaries of areas of settlement,
    - (iv) the location of industry and commerce,
    - (v) the protection of sensitive and significant lands, including agricultural lands, and water resources,
    - (vi) non-renewable resources,

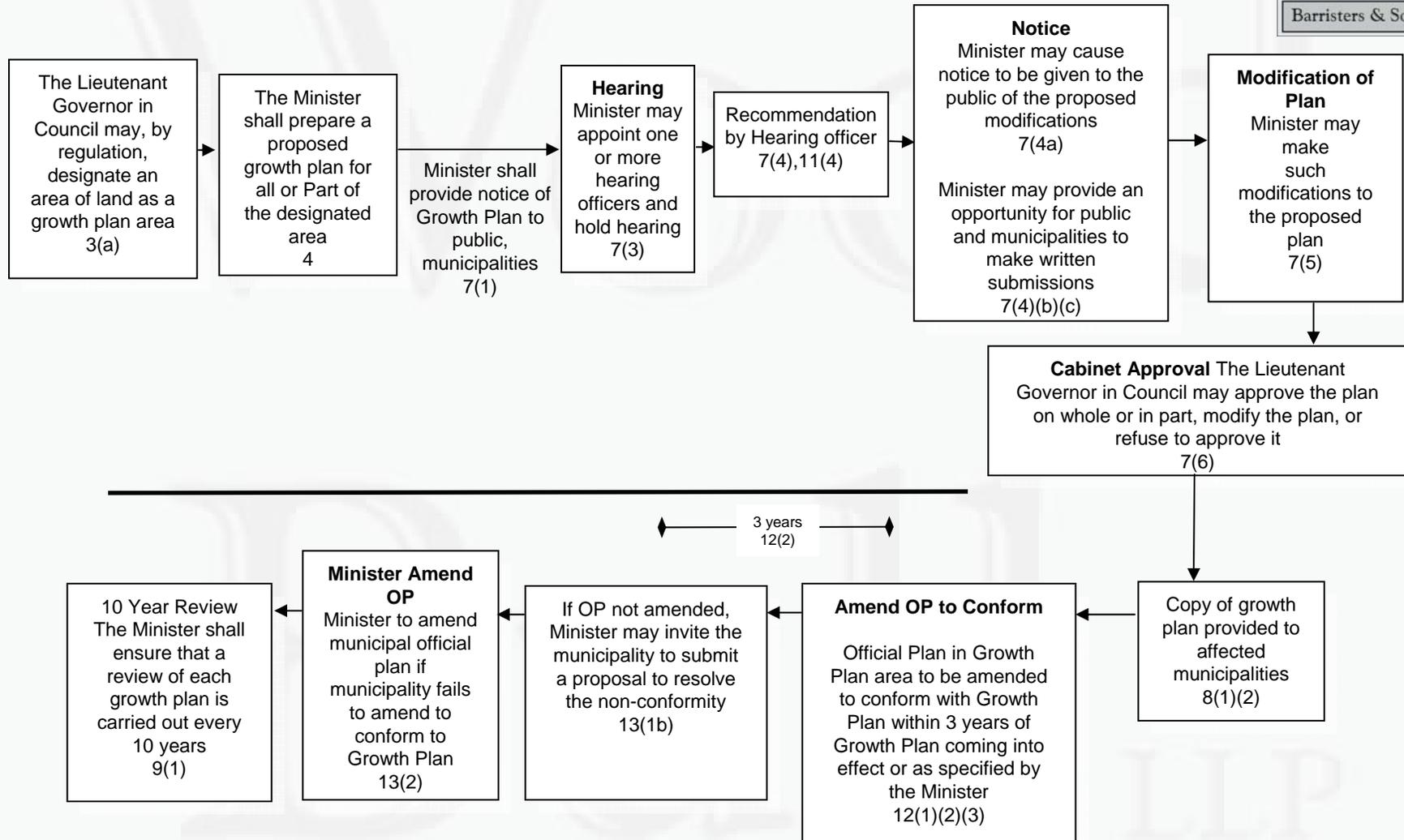
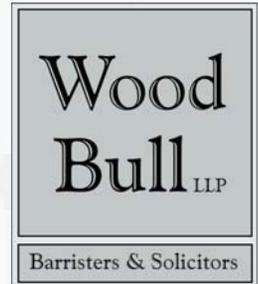
# Places to Grow Act, 2005

- Contents of plan (section 6)
  - (d) policies, goals and criteria in relation to,**
    - (vii) the conservation of energy,
    - viii) infrastructure development and the location of infrastructure and institutions,
    - (ix) transportation planning,
    - (x) municipal waste management planning,
    - (xi) the co-ordination of planning and development among municipalities,
    - (xii) growth-related capital spending and financing,
    - (xiii) affordable housing,
    - (xiv) community design,
    - (xv) specified actions to be taken by municipalities to implement or achieve the policies or goals;
  - (e) such other policies, goals or matters that the Minister considers advisable.**

# Places to Grow Act, 2005

- Plan to be approved by Cabinet (section 7(6))
- Amendments to growth plan (section 10)
  - By Minister only
  - No municipal/private amendment applications

# Places to Grow Act, 2005



## IMPLEMENTATION OF A GROWTH PLAN

# Places to Grow Act, 2005

- Municipality to amend official plan to conform with growth plan

## **Official plan conformity**

The council of a municipality or a municipal planning authority that has jurisdiction in an area to which a growth plan applies shall amend its official plan to conform with the growth plan. (section 12(1))

## **Deadline for amendments**

The council or municipal planning authority shall make any amendments required by subsection (1) before the third anniversary of the date on which the growth plan comes into effect. (section 12(2))

## **Same**

Despite subsection (2), if the Minister directs the council or municipal planning authority to make the amendments required by subsection (1) on or before a different date, the council or municipal planning authority shall do so. (section 12(3))

# Places to Grow Act, 2005

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## Effect of growth plan

A decision under the *Planning Act* or the *Condominium Act, 1998* or under such other Act or provision of an Act as may be prescribed, made by a municipal council, municipal planning authority, planning board, other local board, conservation authority, minister of the Crown or ministry, board, commission or agency of the Government of Ontario, including the Ontario Municipal Board, or made by such other persons or bodies as may be prescribed that relates to a growth plan area shall conform with a growth plan that applies to that growth plan area. (section 14(1))

# Places to Grow Act, 2005

## Conflicts re: official plans, by-laws

A growth plan prevails in the case of conflict between the growth plan and,

- (a) an official plan;
- (b) a zoning by-law; or
- (c) subject to subsection (4), a policy statement issued under section 3 of the *Planning Act*. (section 14(2))

## Limitation

Section 14(1) does not apply to a policy statement issued under section 3 of the *Planning Act* or a minister's order under section 47 of the *Planning Act*. (section 14(3))

# Places to Grow Act, 2005

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## Conflicts re: directions in plans, policies

If there is a conflict between a *direction* in a growth plan and a *direction* in a plan or policy that is mentioned in section 14(5) with respect to a matter relating to the natural environment or human health, the *direction* that provides more protection to the natural environment or human health prevails. (section 14(4))

# Places to Grow Act, 2005

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## Plans or policies

The plans and policies to which subsection (4) refers are,

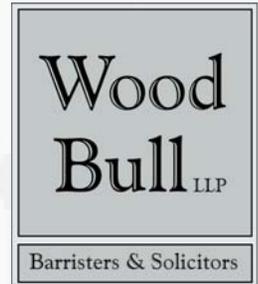
- (a) a policy statement issued under section 3 of the *Planning Act*,
- (b) the Greenbelt Plan established under section 3 of the *Greenbelt Act, 2005* and any amendment to the Plan;
- (c) the Niagara Escarpment Plan established under section 3 of the *Niagara Escarpment Planning and Development Act* and any amendment to the Plan;
- (d) the Oak Ridges Moraine Conservation Plan established under section 3 of the *Oak Ridges Moraine Conservation Act, 2001* and any amendment to the Plan;
- (e) a plan or policy made under a prescribed provision of a prescribed Act; and
- (f) a prescribed plan or policy or a prescribed provision of a prescribed plan or policy made by the Lieutenant Governor in Council, a minister of the Crown, a ministry or a board, commission or agency of the Government of Ontario. (section 14(5))

# Places to Grow Act, 2005

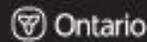
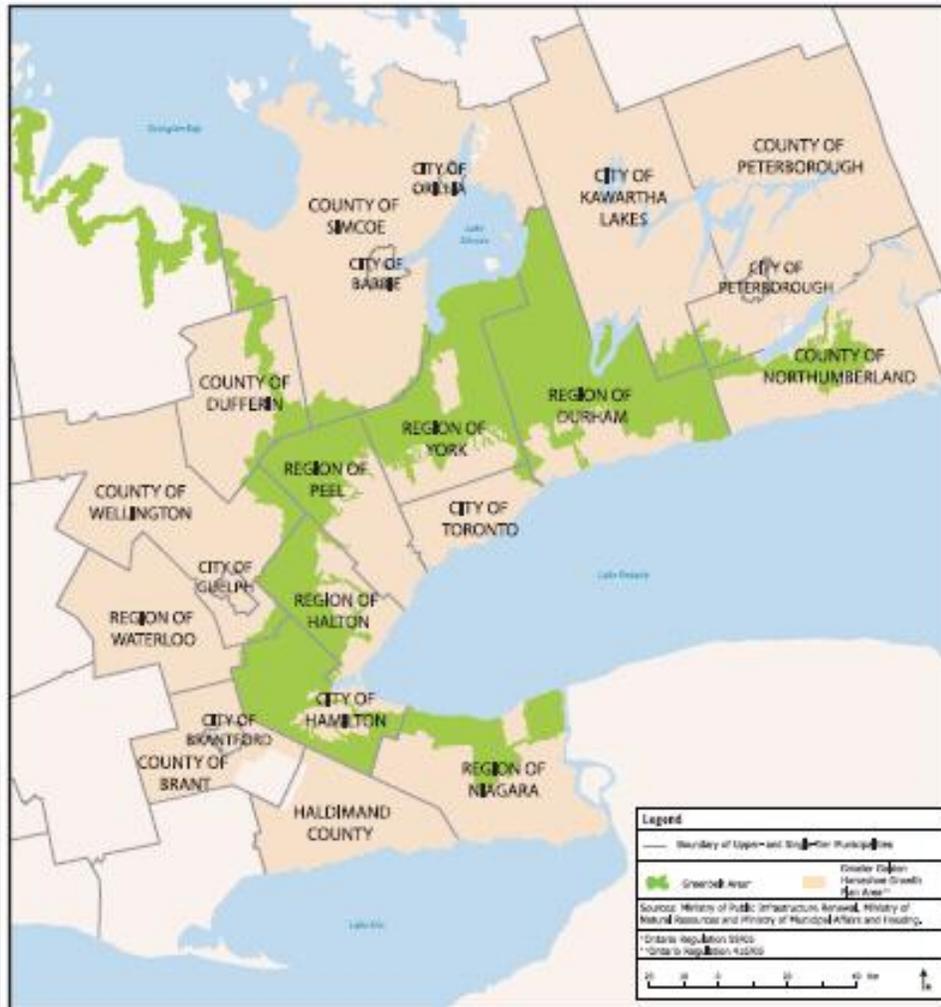
- Growth Plan for the Greater Golden Horseshoe (2006) came into effect on June 16, 2006
- The following areas are included in the Greater Golden Horseshoe “growth plan area”:

|                    |                    |
|--------------------|--------------------|
| 1. Brant.          | 9. Northumberland. |
| 2. Dufferin.       | 10. Peel.          |
| 3. Durham.         | 11. Peterborough.  |
| 4. Haldimand.      | 12. Simcoe.        |
| 5. Halton.         | 13. Toronto.       |
| 6. Hamilton.       | 14. Waterloo.      |
| 7. Kawartha Lakes. | 15. Wellington.    |
| 8. Niagara.        | 16. York.          |

# Places to Grow Act, 2005: Greater Golden Horseshoe “growth plan area”



- The *Outer Ring* consists of:
  - The Cities of Barrie, Brantford, Guelph, Kawartha Lakes, Orillia and Peterborough
  - The Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington
  - The Regions of Niagara and Waterloo
- The *Inner Ring* consists of:
  - The municipalities of Hamilton and Toronto and the upper-tier municipalities of Durham, Halton, Peel and York

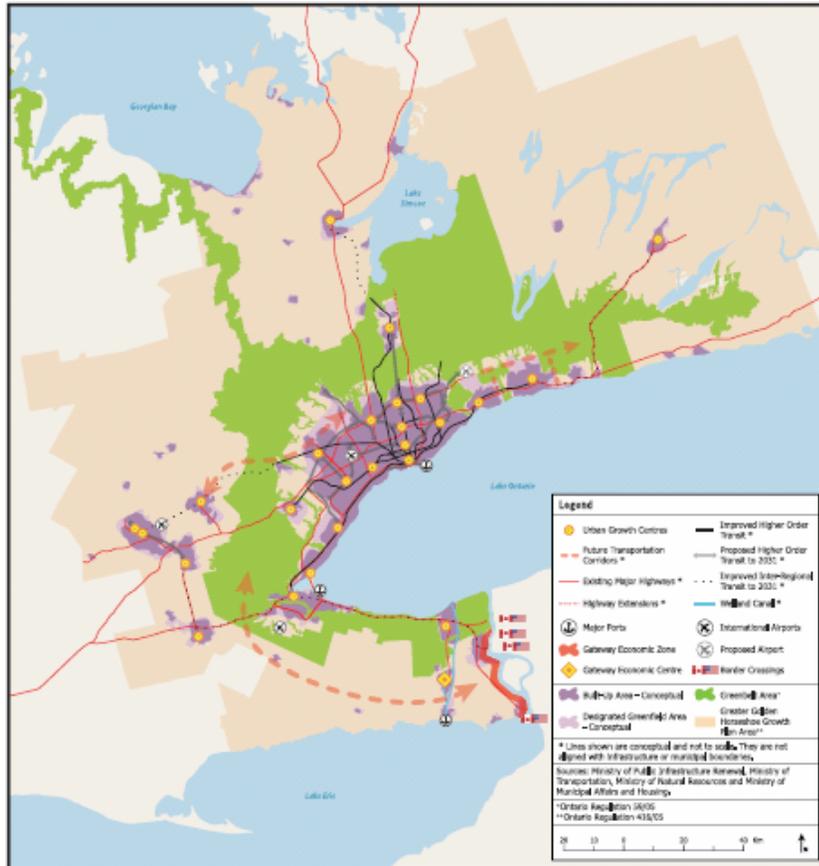


**PLACES TO GROW**  
GROWTH PLAN FOR  
THE GREATER GOLDEN HORSESHOE 2014

## SCHEDULE 1

## Greater Golden Horseshoe Growth Plan Area

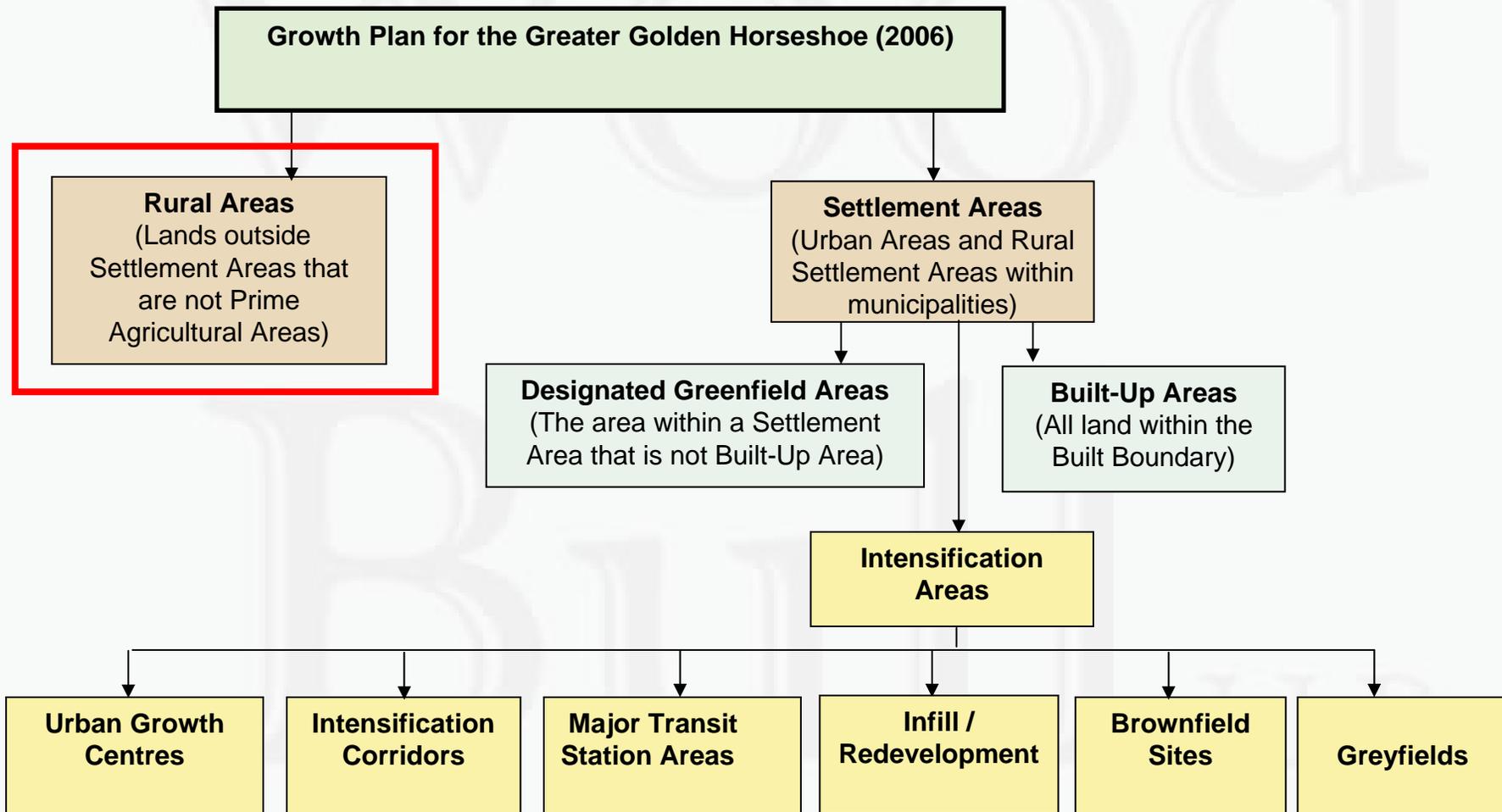
Note: The information displayed on this map is not to scale, does not necessarily reflect approved land-use and planning boundaries, and may be out of date. For more information on precise boundaries, the appropriate municipality should be consulted. For more information on Greenbelt Area boundaries, the Greenbelt Plan 2005 should be consulted. The Province of Ontario assumes no responsibility or liability for any consequences of any use made of this map.



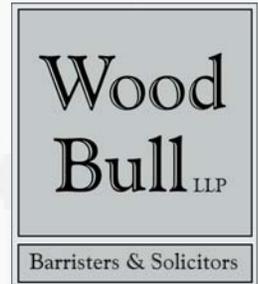
## SCHEDULE 2 Places to Grow Concept

Note: The information displayed on this map is not to scale, does not accurately reflect any grant that was not physically described, and may be out of date. For more information on project locations, the appropriate municipality should be contacted. For more information on Greenfield Area boundaries, the Greenfield Plan 2020 should be consulted. The Province of Ontario assumes no responsibility in liability for any consequences of any use made of this map.

# Growth Plan for the Greater Golden Horseshoe (2006)



# Rural Areas



***Rural Areas*** - Lands which are located outside *settlement areas* and that are not *prime agricultural areas*.

[***Prime Agricultural Area*** - Areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture, Food, and Rural Affairs using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

For the purposes of this definition:

Prime agricultural land includes *specialty crop areas* and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection. (Provincial Policy Statement, 2005)]

# Rural Areas

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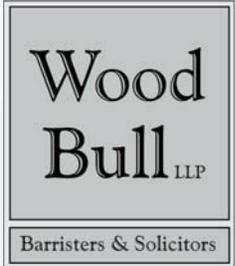
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## Policy 2.2.9

2. Development outside of *settlement areas*, may be permitted in rural areas in accordance with Policy 2.2.2.1(i)

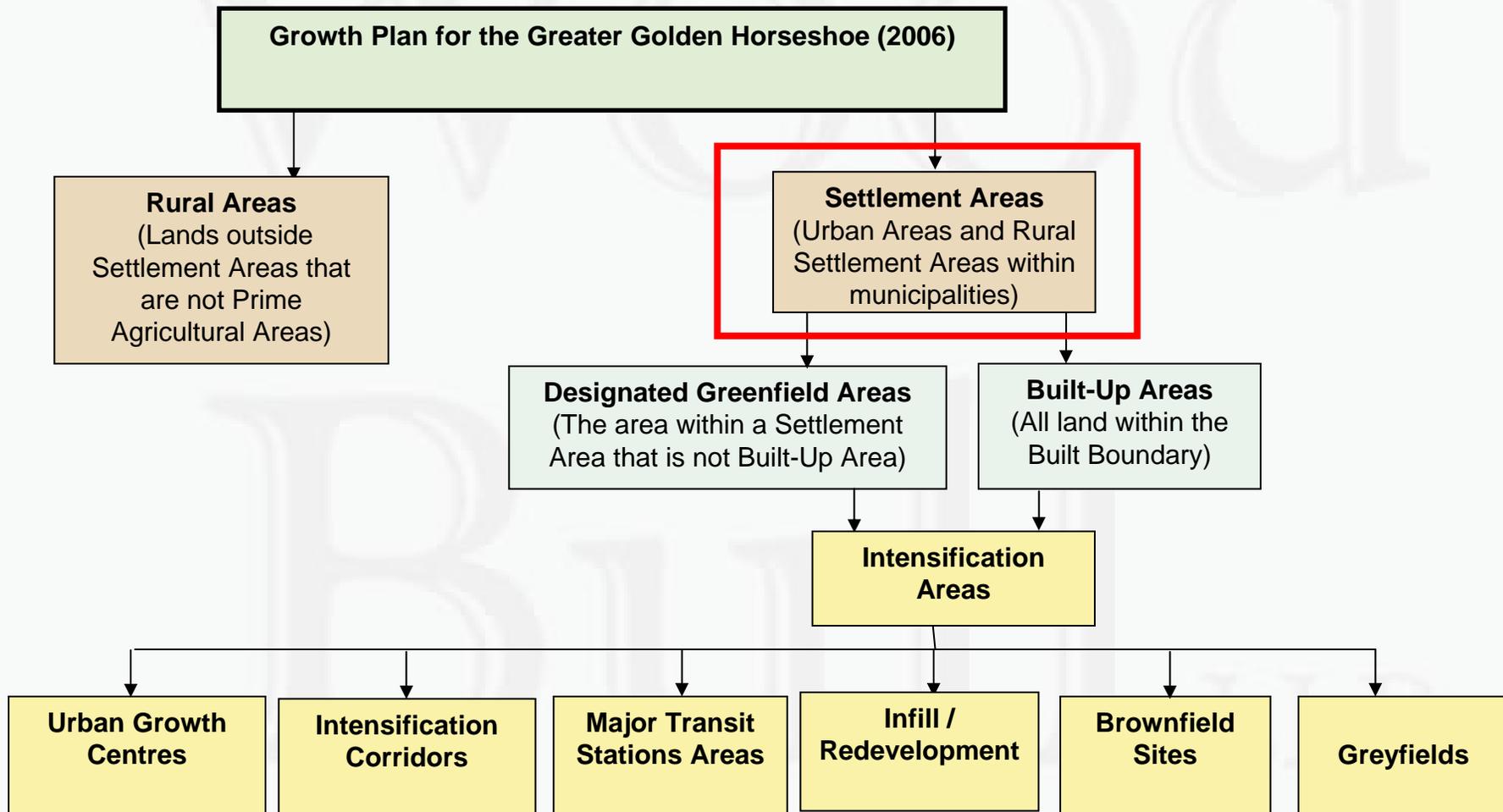
Policy 2.2.2.1 (i) – Population and employment growth will be accommodated by - directing development to *settlement areas*, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in *settlement areas*.

# Rural Areas

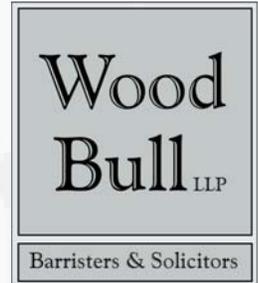


3. *New multiple lots and units for residential development* will be directed to *settlement areas*, and may be allowed in *rural areas* in site-specific locations with approved zoning or designation that permits this type of development in a municipal official plan, as of the effective date of this Plan.
4. For lands within the *Greenbelt Area*, the applicable policies in the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plans apply.

# Growth Plan for the Greater Golden Horseshoe (2006)



# Settlement Areas



***Settlement Areas*** – Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) where:

- a) development is concentrated and which have a mix of land uses; **and**
- b) lands have been designated in an official plan for development over the long term planning horizon provided for in the Provincial Policy Statement, 2005. Where there are no lands that have been designated over the long-term, the *settlement area* may be no larger than the area where development is concentrated.

# Rural Settlement Areas

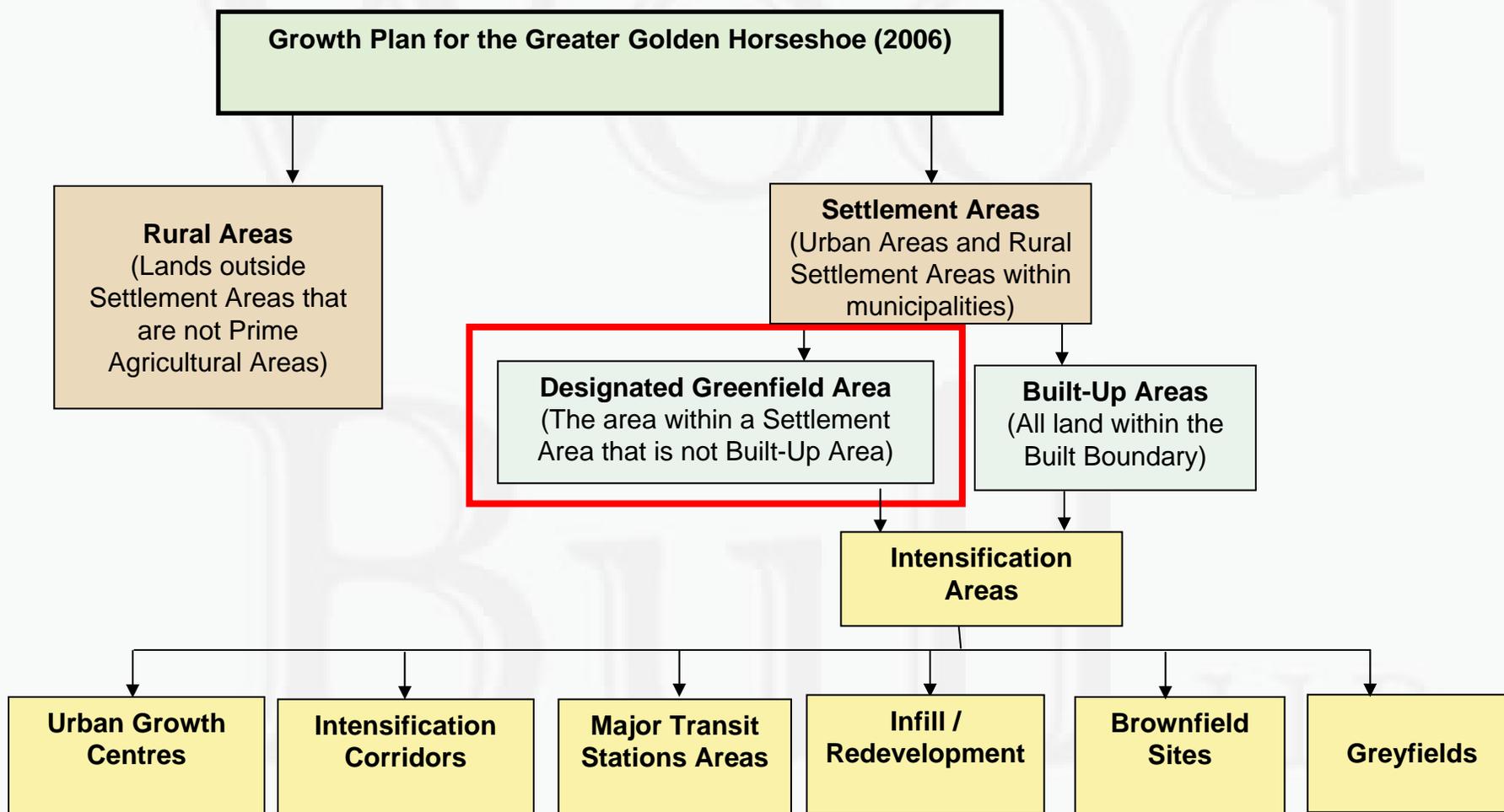
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## (Policy 2.2.9.1)

- Rural *settlement areas* are key to the vitality and economic well-being of rural communities. Municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural *settlement areas* to serve the needs of rural residents and area businesses.

# Growth Plan for the Greater Golden Horseshoe (2006)



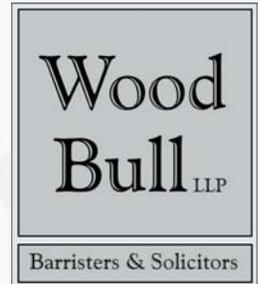
# Settlement Areas: Designated Greenfield Areas

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***Designated Greenfield Area*** – The area within *settlement area* that is not *built-up area*. Where a *settlement area* does not have a *built boundary*, the entire *settlement area* is considered designated greenfield area.

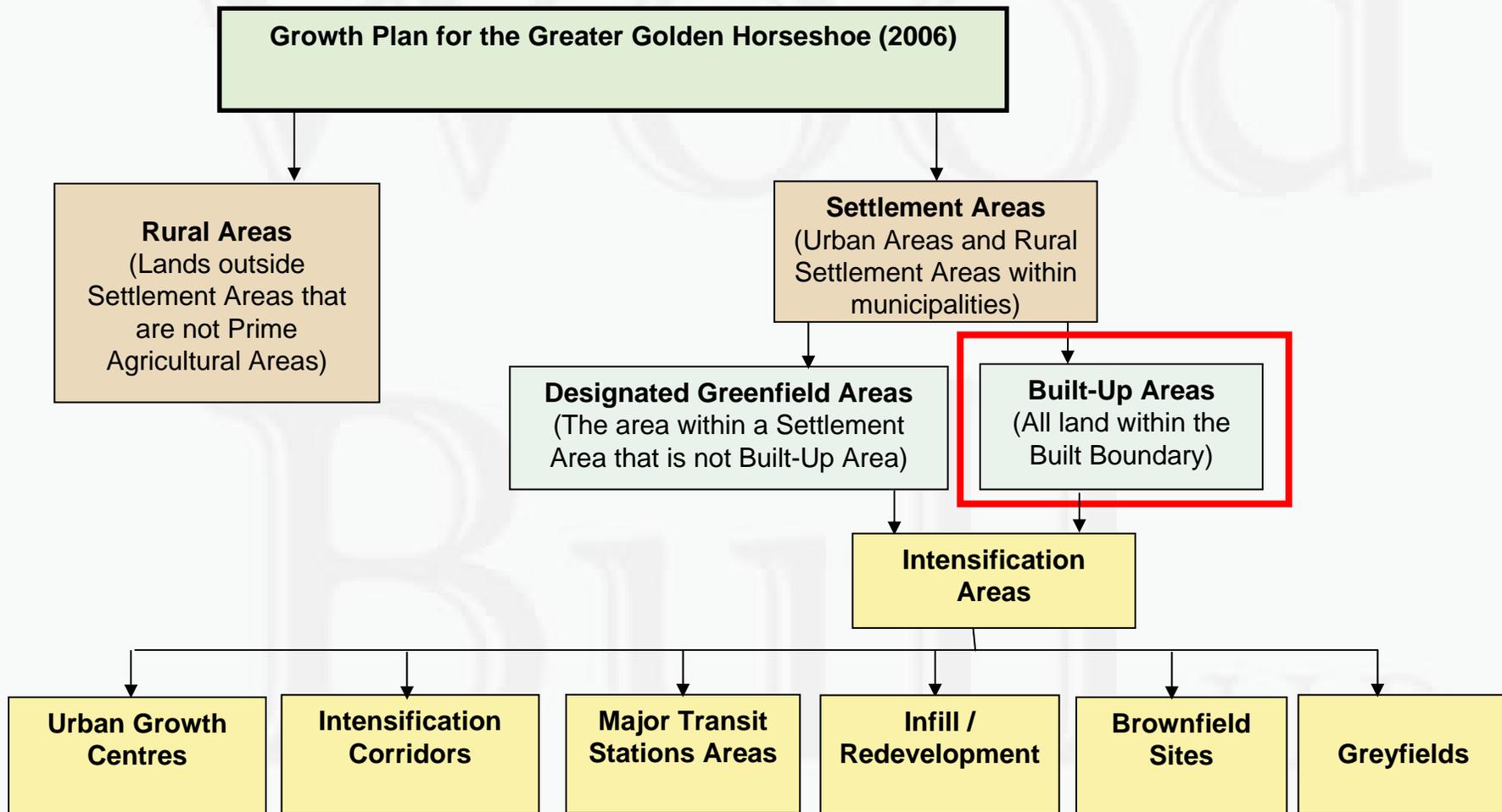
# Settlement Areas: Designated Greenfield Areas (Policy 2.2.7.1)



New development taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that –

- (a) contributes to creating *complete communities*
- (b) creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services
- (c) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
- (d) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

# Growth Plan for the Greater Golden Horseshoe (2006)



# Settlement Areas: Built-Up Areas

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***Built-up Area*** – all land within the *built boundary*

The *built-up area*, shown on Schedules 2, 4, 5, and 6, is conceptual only. (Policy 5.4.1.7)

***Built Boundary*** – the limits of the developed urban area as defined by the Minister of Public Infrastructure Renewal in accordance with Policy 2.2.3.5

# Settlement Areas: Built-Up Areas

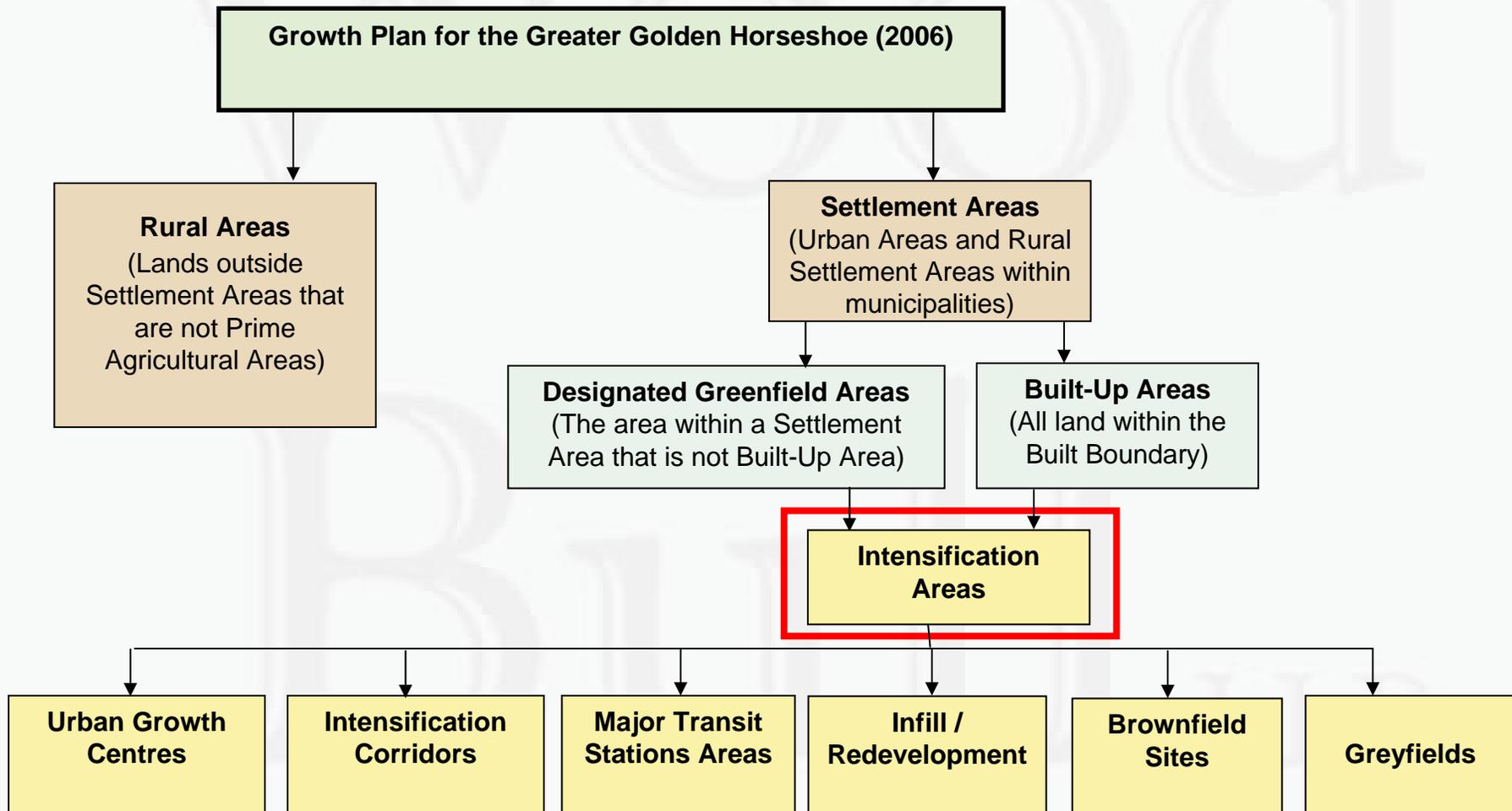
## The policies of the Growth Plan:

- direct growth to *built-up areas* where the capacity exists to best accommodate the expected population and employment growth, while providing strict criteria for *settlement area* boundary expansions (Policy 1.1, Context)

## Population and employment growth will be accommodated by –

- directing a significant portion of new growth to the *built-up areas* of the community through *intensification* (Policy 2.2.2.1(a))

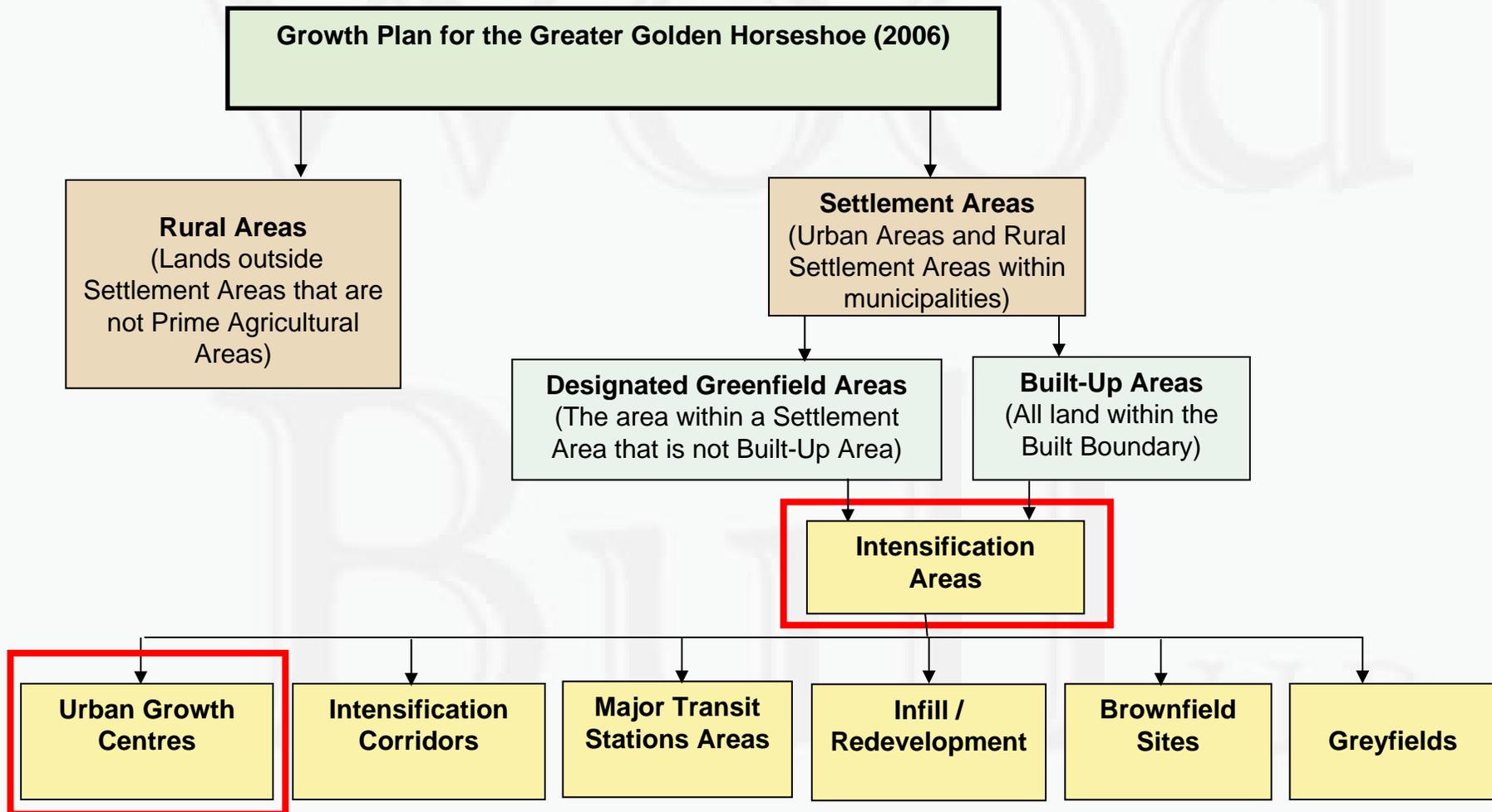
# Growth Plan for the Greater Golden Horseshoe (2006)



## Settlement Areas: Intensification Areas

***Intensification Areas*** - Lands identified by municipalities or the Minister of Public Infrastructure Renewal within a *settlement area* that are to be the focus for accommodating *intensification*. Intensification areas include *urban growth centres, intensification corridors, major transit station areas*, and other major opportunities that may include infill, *redevelopment, brownfield sites*, the expansion or conversion of existing buildings and *greyfields*.

# Growth Plan for the Greater Golden Horseshoe (2006)



# Settlement Areas: Intensification Areas: Urban Growth Centres

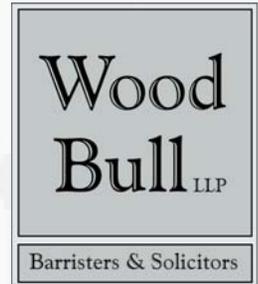
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***Urban growth centres*** – locations set out in Schedule 4.  
Urban growth centres will be delineated pursuant to  
Policies 2.2.4.2 and 2.2.4.3

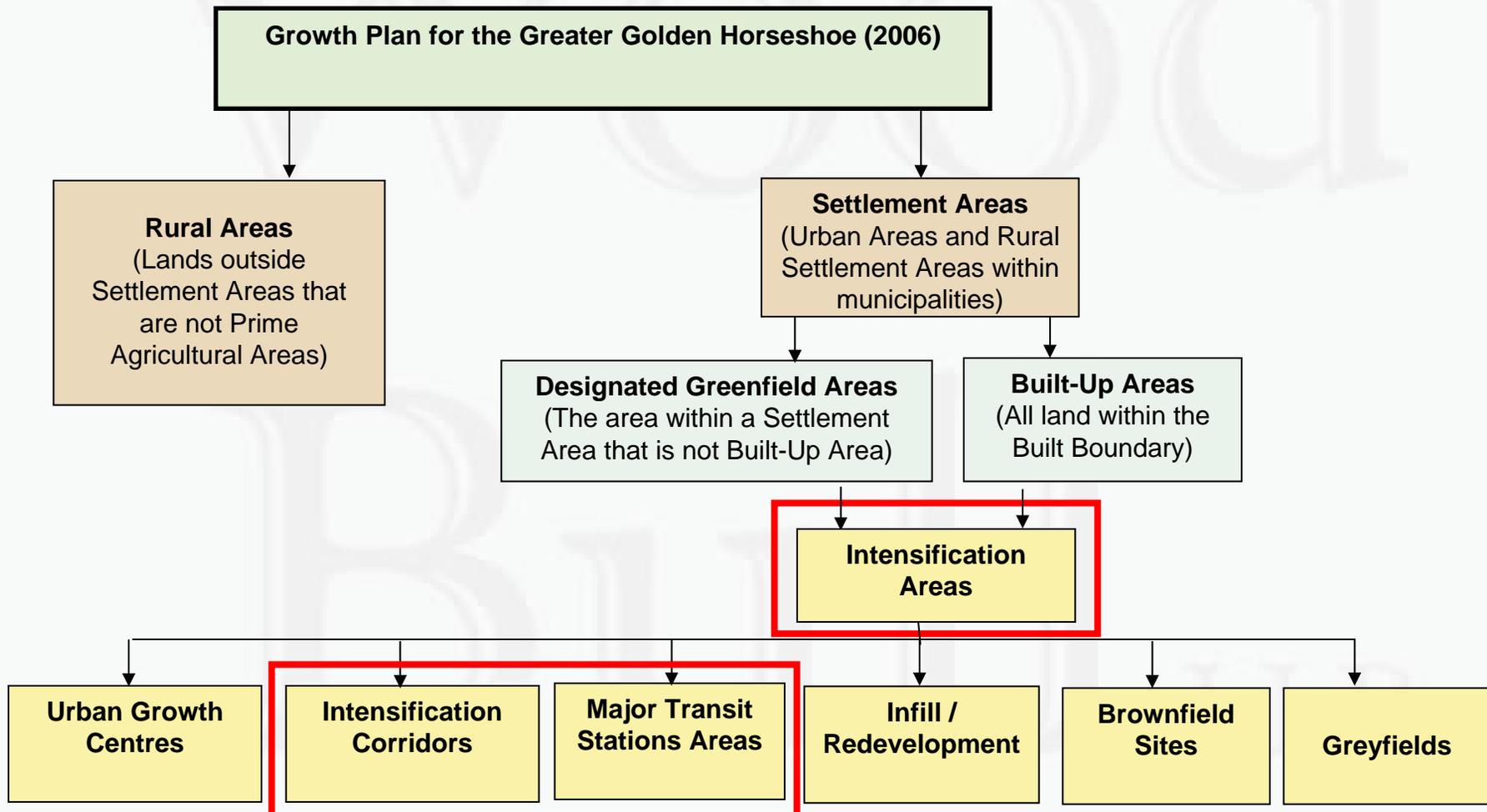


# Settlement Areas: Intensification Areas: Urban Growth Centres (Policy 2.2.4)

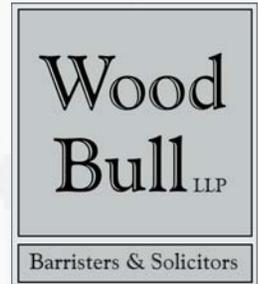


3. Municipalities will delineate boundaries of *urban growth centres* in their official plans.
4. *Urban growth centres* will be planned –
  - a) As focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses
  - b) To accommodate and support major transit infrastructure
  - c) To serve as high density major employment centres that will attract provincially, nationally, or internationally significant employment uses
  - d) To accommodate a significant share of population and employment growth

# Growth Plan for the Greater Golden Horseshoe (2006)

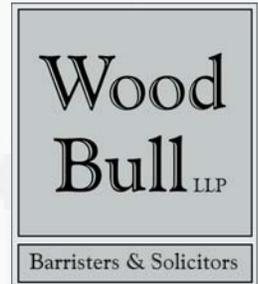


# Settlement Areas: Intensification Areas: Major Transit Station Areas / Intensification Corridors (Policy 2.2.5)



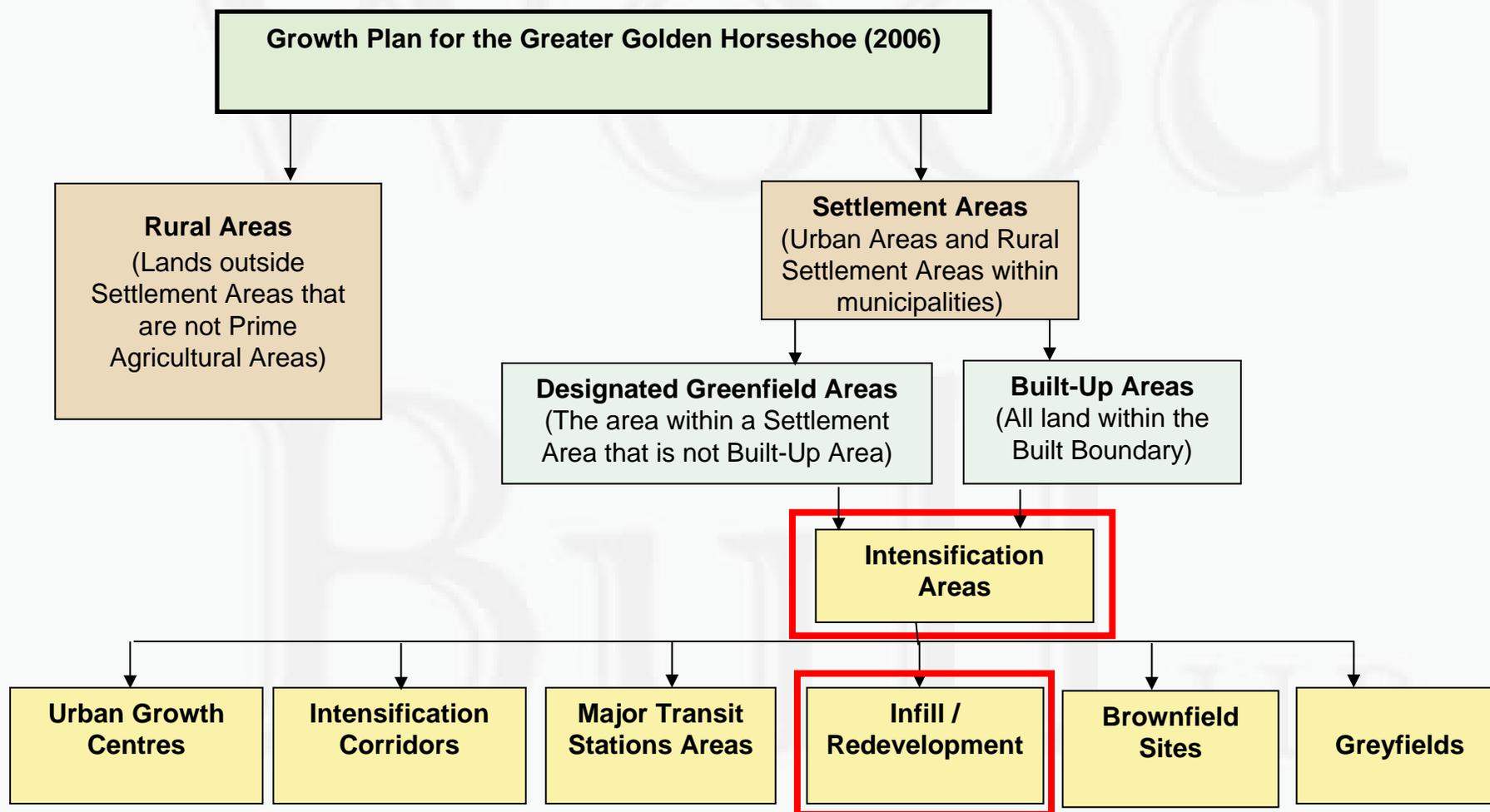
- *Intensification Corridors* – *Intensification areas* along major roads, arterials or *higher order transit* corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned transit service levels.
- *Major Transit Station Area* – The area including and around any existing or planned *higher order transit* station within a *settlement area*, or the area including and around a major bus depot in an urban core. Station areas are generally defined as the area within an approximate 500 m radius of a transit station, representing about a 10-minute walk.

# Settlement Areas: Intensification Areas: Major Transit Station Areas / Intensification Corridors (Policy 2.2.5)



1. *Major transit station areas and intensification corridors* will be designated in official plans and planned to achieve -
  - a) increased residential and employment densities that support and ensure the viability of existing and planned transit service levels
  - b) a mix of residential, office, institutional, and commercial development wherever appropriate.
2. *Major transit station areas* will be planned and designed to provide access from various transportation modes to the transit facility, including consideration of pedestrians, bicycle parking and commuter pick-up/drop-off areas.
3. *Intensification corridors* will generally be planned to accommodate local services, including recreational, cultural and entertainment uses.

# Growth Plan for the Greater Golden Horseshoe (2006)

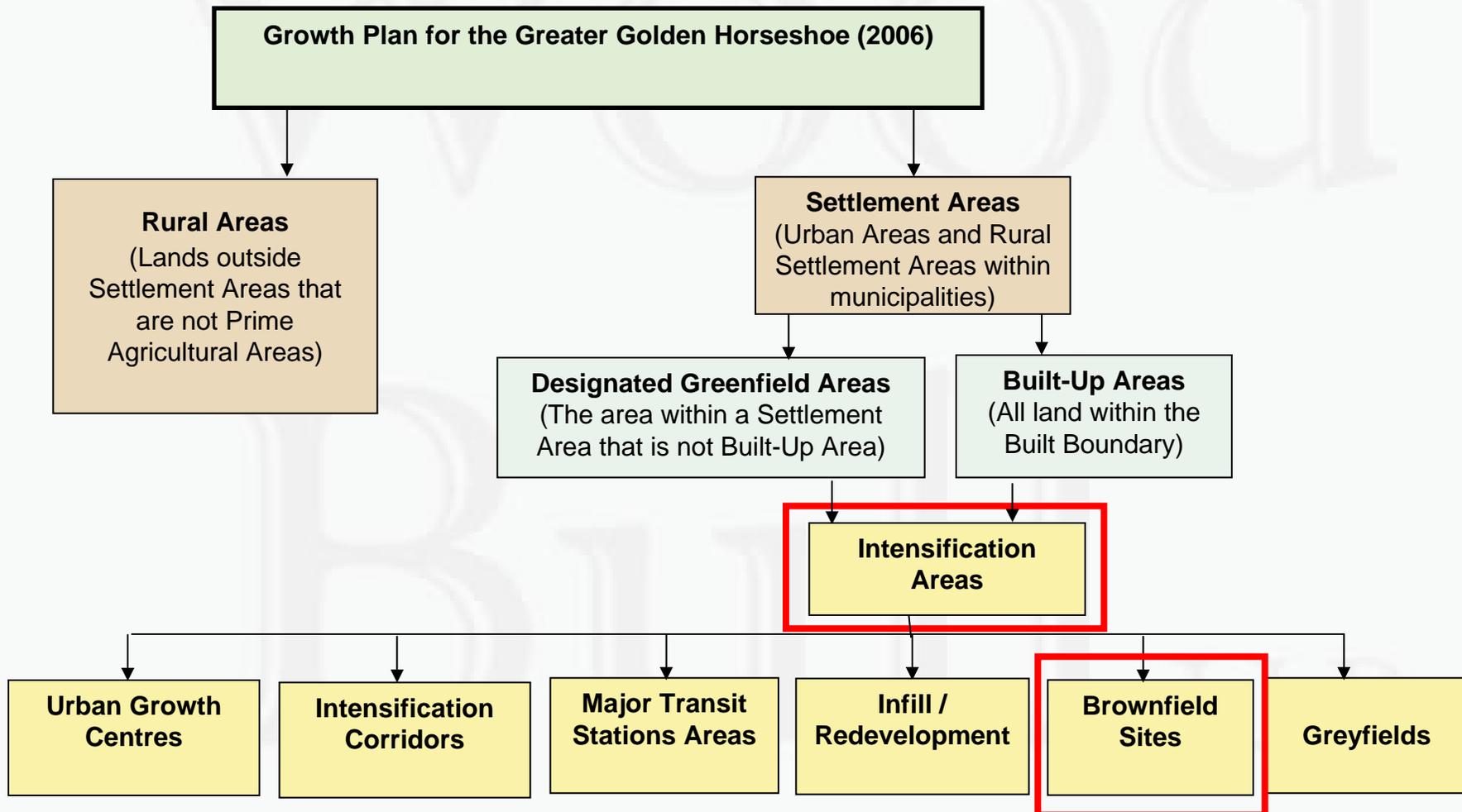


## Settlement Areas: Infill / Redevelopment

***Redevelopment*** – The creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*. (Provincial Policy Statement, 2005)

[No specific policy guidance addressing infill / redevelopment as a separate topic.]

# Growth Plan for the Greater Golden Horseshoe (2006)



# Settlement Areas: Brownfield Sites

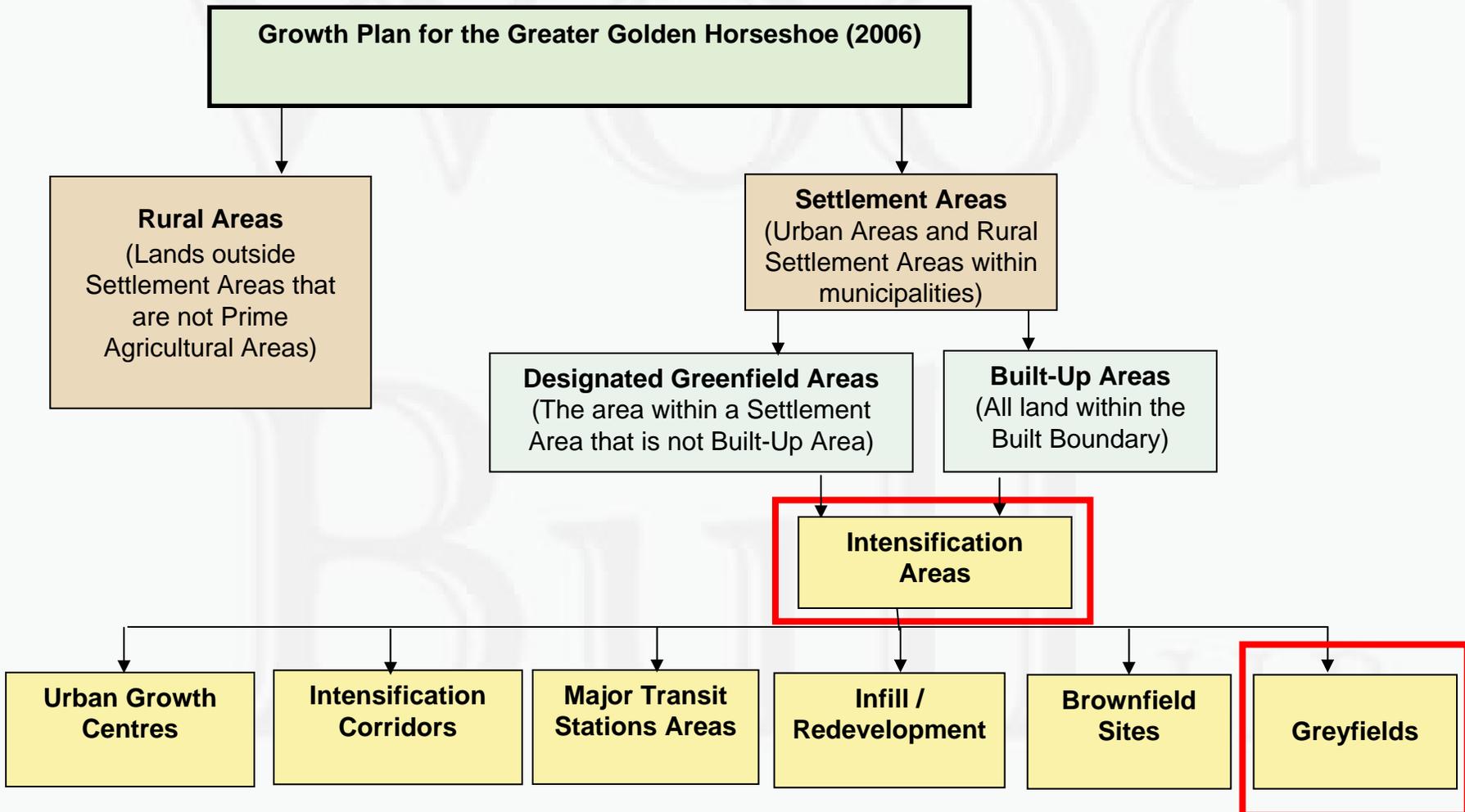
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***Brownfield Sites*** – Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. (Provincial Policy Statement, 2005)

This Plan envisages increasing *intensification* of the existing *built-up area*, with a focus on *urban growth centres*, *intensification corridors*, *major transit station areas*, *brownfield sites* and *greyfields*. Concentrating new development in these areas also provides a focus for transit and infrastructure investments to support future growth. (Policy 2.1, Context)

# Growth Plan for the Greater Golden Horseshoe (2006)



## Settlement Areas: Greyfields

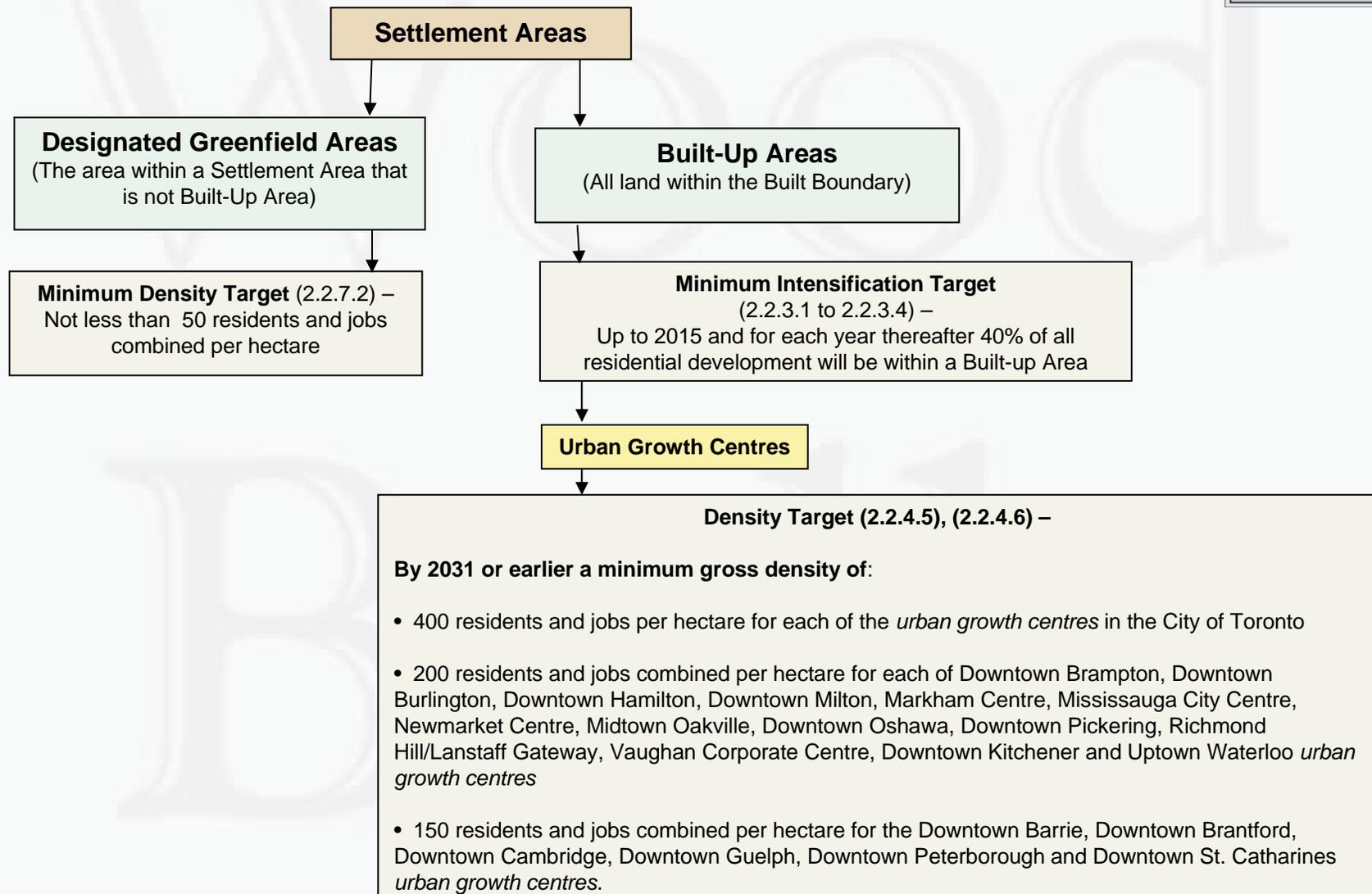
***Greyfields*** – Previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict or vacant.

This Plan envisages increasing *intensification* of the existing *built-up area*, with a focus on *urban growth centres*, *intensification corridors*, *major transit station areas*, *brownfield sites* and *greyfields*.

Concentrating new development in these areas also provides a focus for transit and infrastructure investments to support future growth.

(Policy 2.1, Context)

# Intensification Target and Density Targets



# Intensification Target and Density Targets: Definitions

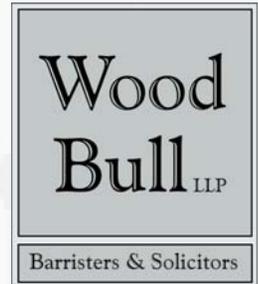
***Intensification*** – The development of a property, site or area at a higher density than currently exists through:

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

***Intensification Target*** – The intensification target is as established in Policies 2.2.3.1, 2.2.3.2., 2.2.3.3. and 2.2.3.4.

***Density Targets*** – The density target for *urban growth centres* is defined in Policies 2.2.4.5 and 2.2.4.6. The density target for *designated greenfield areas* is defined in Policies 2.2.7.2, 2.2.7.3 and 2.2.7.5.

# Intensification Target and Density Targets: General Intensification (Policy 2.2.3.6)



All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve *intensification* and the *intensification target*. This strategy and policies will –

- a) be based on the growth forecasts contained in Schedule 3, as allocated to lower-tier municipalities in accordance with policy 5.4.2.2
- b) encourage *intensification* generally throughout the *built-up area*
- c) identify *intensification areas* to support achievement of the ***intensification target***
- d) incorporate the *built boundary* delineated in accordance with Policy 2.2.3.5
- e) recognize *urban growth centres, intensification corridors and major transit station areas* as a key focus for development to accommodate *intensification*
- f) facilitate and promote *intensification*
- g) identify the appropriate type and scale of development in *intensification areas*
- h) include ***density targets*** for *urban growth centres* where applicable, and minimum ***density targets*** for other *intensification areas* consistent with the planned transit service levels, and any *transit-supportive* land-use guidelines established by the Government of Ontario
- i) plan for a range and mix of housing, taking into account *affordable* housing needs
- j) encourage the creation of secondary suites throughout the *built-up area*.

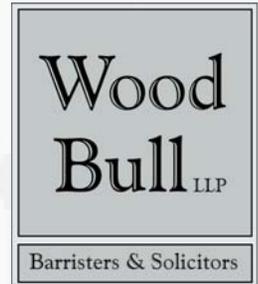
# Intensification Target and Density Targets: General Intensification (Policy 5.4.2)

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2. Where planning is conducted by an upper-tier municipality, the upper-tier municipality, in consultation with the lower-tier municipalities, will –
  - a) allocate the growth forecasts provided in Schedule 3 to the lower-tier municipalities
  - b) identify intensification targets for lower-tier municipalities, to achieve the *intensification target* and *density targets* for *urban growth centres* where applicable
  - c) identify density targets for the *designated greenfield areas* of the lower-tier municipalities, to achieve the *density target* for *designated greenfield areas*
  - d) provide policy direction on matters that cross municipal boundaries.

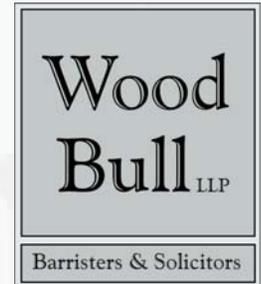
# Intensification Target and Density Targets: Designated Greenfield Areas (Policy 2.2.7)



2. The *designated greenfield area* of each upper- or single-tier municipality will be planned to achieve a minimum *density target* that is not less than 50 residents and jobs combined per hectare.
3. This *density target* will be measured over the entire *designated greenfield areas* of each upper- or single- tier municipality, excluding the following features where the features are both identified in any applicable official plan or provincial plan, and where the applicable provincial plan or policy statement prohibits development in the features: wetlands, coastal wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered species and threatened species, wildlife habitat and fish habitat. The area of the features will be defined in accordance with the applicable provincial plan or policy statement that prohibits development in the features.

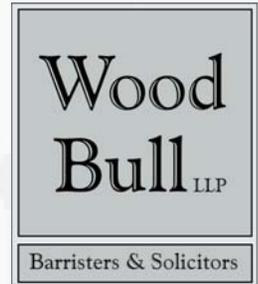
# Intensification Target and Density Targets: Designated Greenfield Areas

## (Policy 2.2.7)



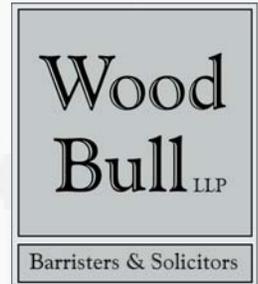
4. Policy 2.2.7.3 is provided for the purpose of measuring the minimum *density target* for *designated greenfield areas*, and is not intended to provide policy protection for the protection of natural heritage features, areas and systems.
5. The Minister of Public Infrastructure Renewal may review and permit an alternative *density target* for an upper- or single- tier municipality that is located in the *outer ring*, and that does not have an *urban growth centre*, to ensure the *density target* is appropriate given the characteristics of the municipality and adjacent communities.
6. Municipalities will develop and implement official plan policies, including phasing policies, and other strategies, for *designated greenfield areas* to achieve the *intensification target* and *density targets* of this Plan.

# Settlement Areas: Boundary Expansion (Policy 2.2.8)



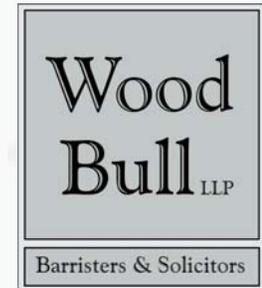
2. A *settlement area* boundary expansion may only occur as part of a *municipal comprehensive review* where it has been demonstrated that -
  - a) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through *intensification* and in *designated greenfield areas*, using the *intensification target* and *density targets*, are not available:
    - i) within the *regional market area*, as determined by the upper- or single- tier municipality, and
    - ii) within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to this plan
  - b) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy 2.2.8.2(a)

# Settlement Areas: Boundary Expansion (Policy 2.2.8)



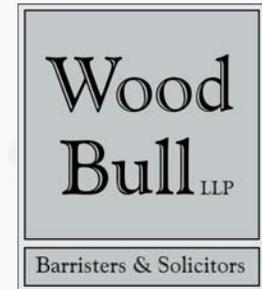
- c) the timing of the expansion and the phasing of development within the *designated greenfield area* will not adversely affect the achievement of the *intensification target* and *density targets*, and the other policies of this Plan
- d) where applicable, the proposed expansion will meet the requirements of the Greenbelt, Niagara Escarpment and Oak Ridges Moraine Conservation Plan
- e) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner

# Settlement Areas: Boundary Expansion (Policy 2.2.8)



- f) in *prime agricultural areas*:
  - the lands do not comprise *specialty crop areas*
  - there are no reasonable alternatives that avoid *prime agricultural areas*
  - there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*
- g) impacts from expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement areas* are mitigated to the extent feasible
- h) in determining the most appropriate location for expansions to the boundaries of *settlement areas*, the policies of Section 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied

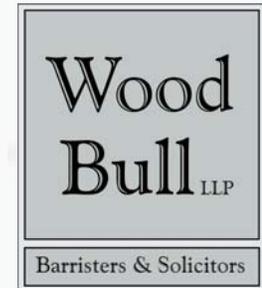
# Settlement Areas: Boundary Expansion (Policy 2.2.8)



- i) for expansions of *small cities and towns* within the *outer ring*, municipalities will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the small city or town.

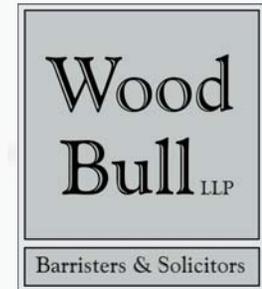
***Small Cities and Towns*** – settlement areas that do not include an *urban growth centre*

# Employment Areas



***Employment Area*** - Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.  
(Provincial Policy Statement, 2005)

# Employment Areas

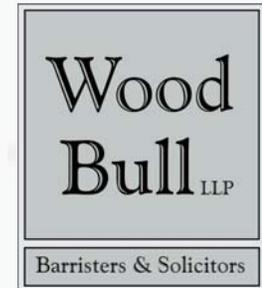


The Growth Plan provides policy directions that:

- preserve employment areas for future economic opportunities (Policy 1.1, Context)

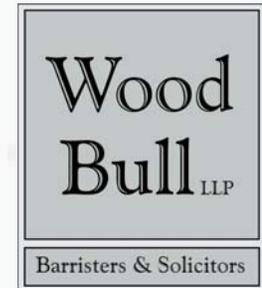
Providing opportunities for businesses to locate in the GGH is fundamental to using land wisely and ensuring a prosperous economic future. Therefore, it is important to ensure an adequate supply of land for *employment areas* and other employment uses. (Policy 2.1, Context)

# Employment Areas (Policy 2.2.6)



1. An adequate supply of lands providing locations for a variety of appropriate employment uses will be maintained to accommodate the growth forecasts in Schedule 3.
2. Municipalities will promote economic development and competitiveness by –
  - a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs
  - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future business
  - c) planning for, protecting and preserving *employment areas* for current and future uses
  - d) ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

# Employment Areas (Policy 2.2.6)

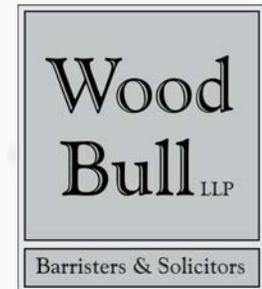


8. Through *sub-area* assessment, the Minister of Public Infrastructure and Renewal, in consultation with the other Ministers of the Crown, municipalities and other stakeholders will identify provincially significant *employment areas* including prime industrial lands.

9. Municipalities are encouraged to designate and preserve lands within settlement areas in the vicinity of existing major highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate.

10. In planning lands for employment, municipalities will facilitate the development of *transit-supportive*, compact built form and minimize surface parking.

# Employment Areas: Conversion Policy (2.2.6)



5. Municipalities may permit conversion of lands within *employment areas*, to non-employment uses, only through a *municipal comprehensive review* where it has been demonstrated that –

- a) there is a need for the conversion
- b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan
- c) the conversion will not adversely affect the overall viability of the *employment area*, and achievement of the *intensification target*, *density targets*, and other policies of this Plan
- d) there is existing or planned infrastructure to accommodate the proposed conversion
- e) the lands are not required over the long term for the employment purposes for which they are designated
- f) cross-jurisdictional issues have been considered.

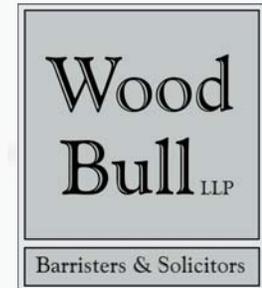
For the purposes of this policy, major retail uses are considered non-employment uses.

# Employment Areas: Conversion Policy (2.2.6)



***Municipal Comprehensive Review*** - An official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of this Plan.

## Employment Areas: Conversion Policy (2.2.6.6)



Policy 2.2.6.5 only applies to *employment areas* that are not downtown areas or regeneration areas. For those *employment areas* that are downtown areas or regeneration areas, Policy 1.3.2 of the PPS, 2005 continues to apply.

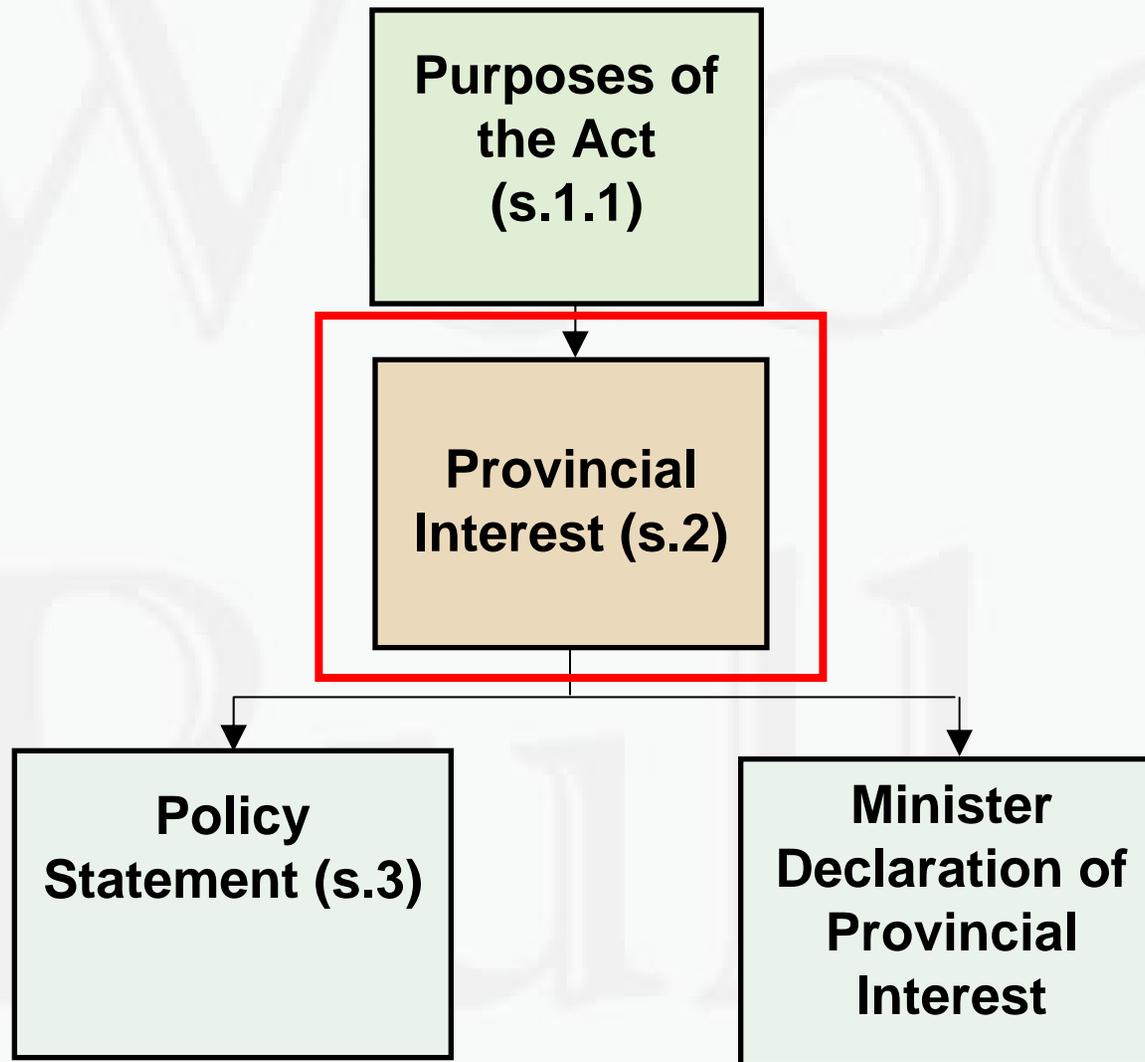
# Growth Plan: Review

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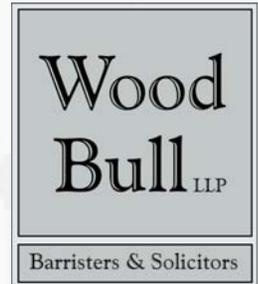
Barristers & Solicitors

- The Minister shall ensure that a review of each growth plan is carried out at least every 10 years after the date the plan comes into force to determine whether the plan should be revised. (section 9)

# Planning Act



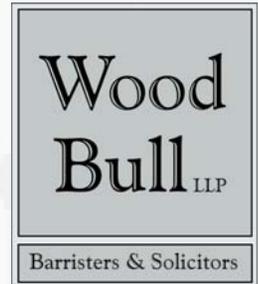
# Planning Act: Matters of Provincial Interest (s.2)



2. The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

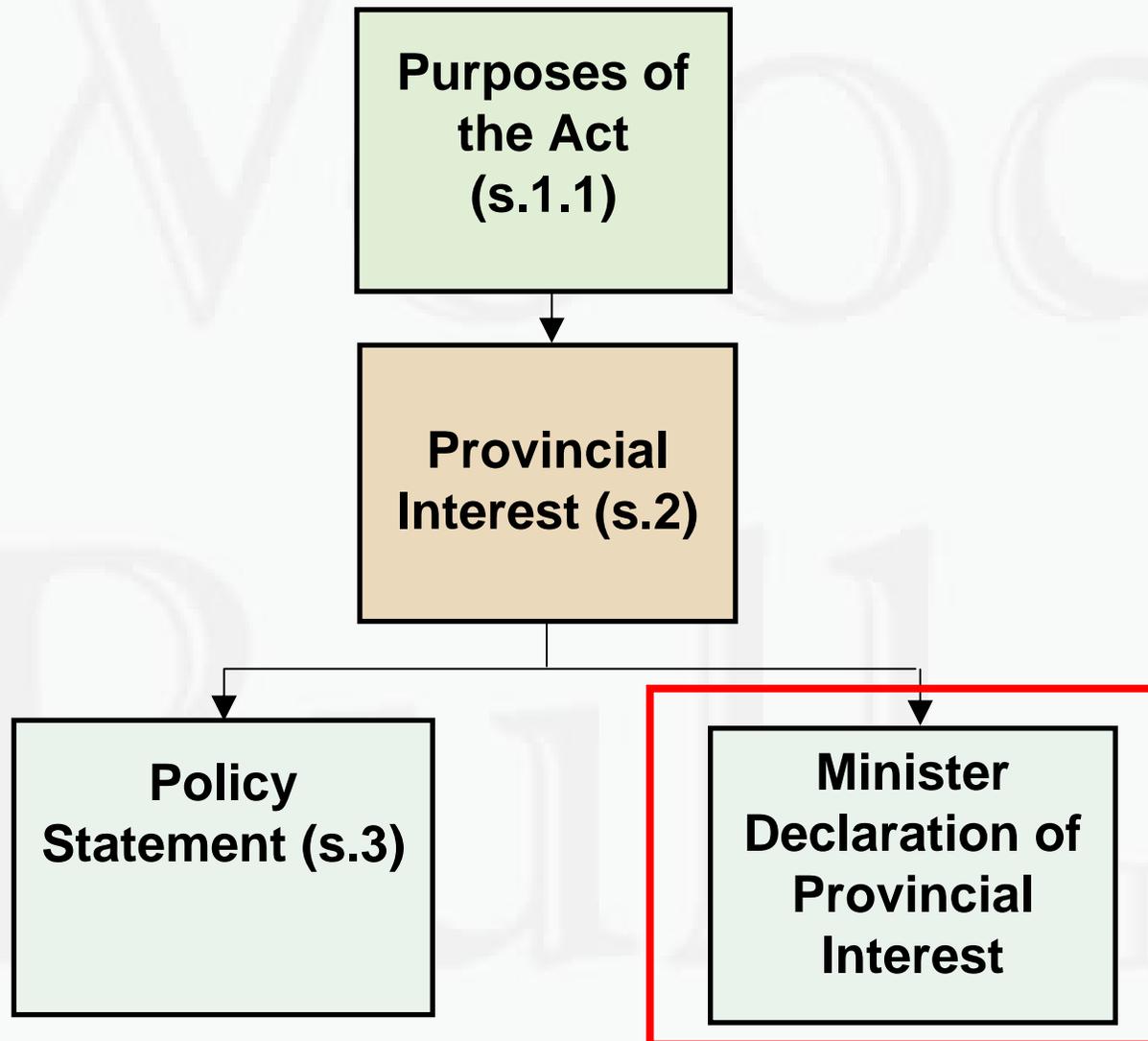
- (a) the protection of ecological systems, including natural areas, features and functions;
- (b) the protection of the agricultural resources of the Province;
- (c) the conservation and management of natural resources and the mineral resource base;
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (e) the supply, efficient use and conservation of energy and water;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) the minimization of waste;

# Planning Act: Matters of Provincial Interest (s.2)

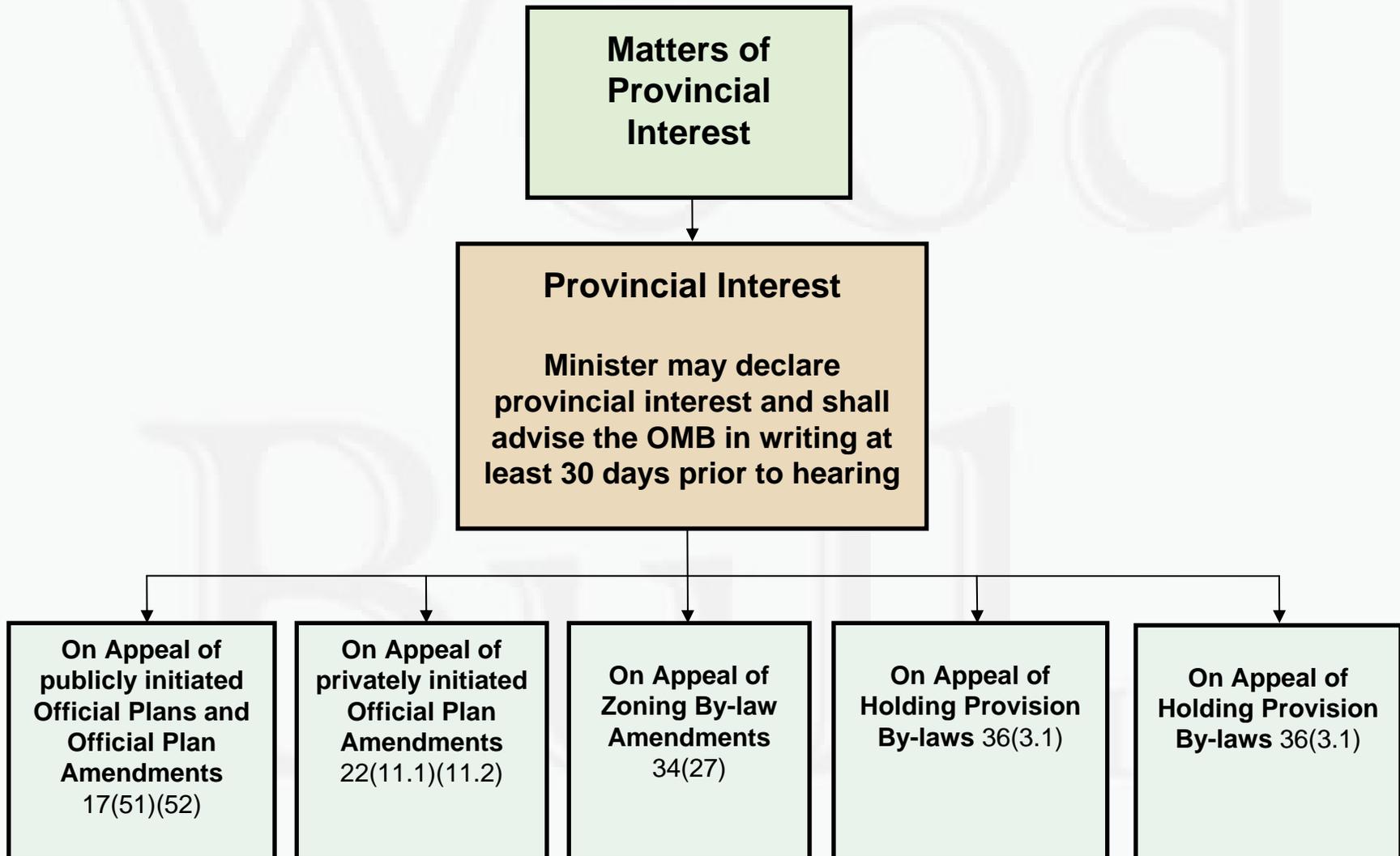


- (h) the orderly development of safe and healthy communities;
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- (n) the resolution of planning conflicts involving public and private interests;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development.
- (q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians. (Bill 51)***

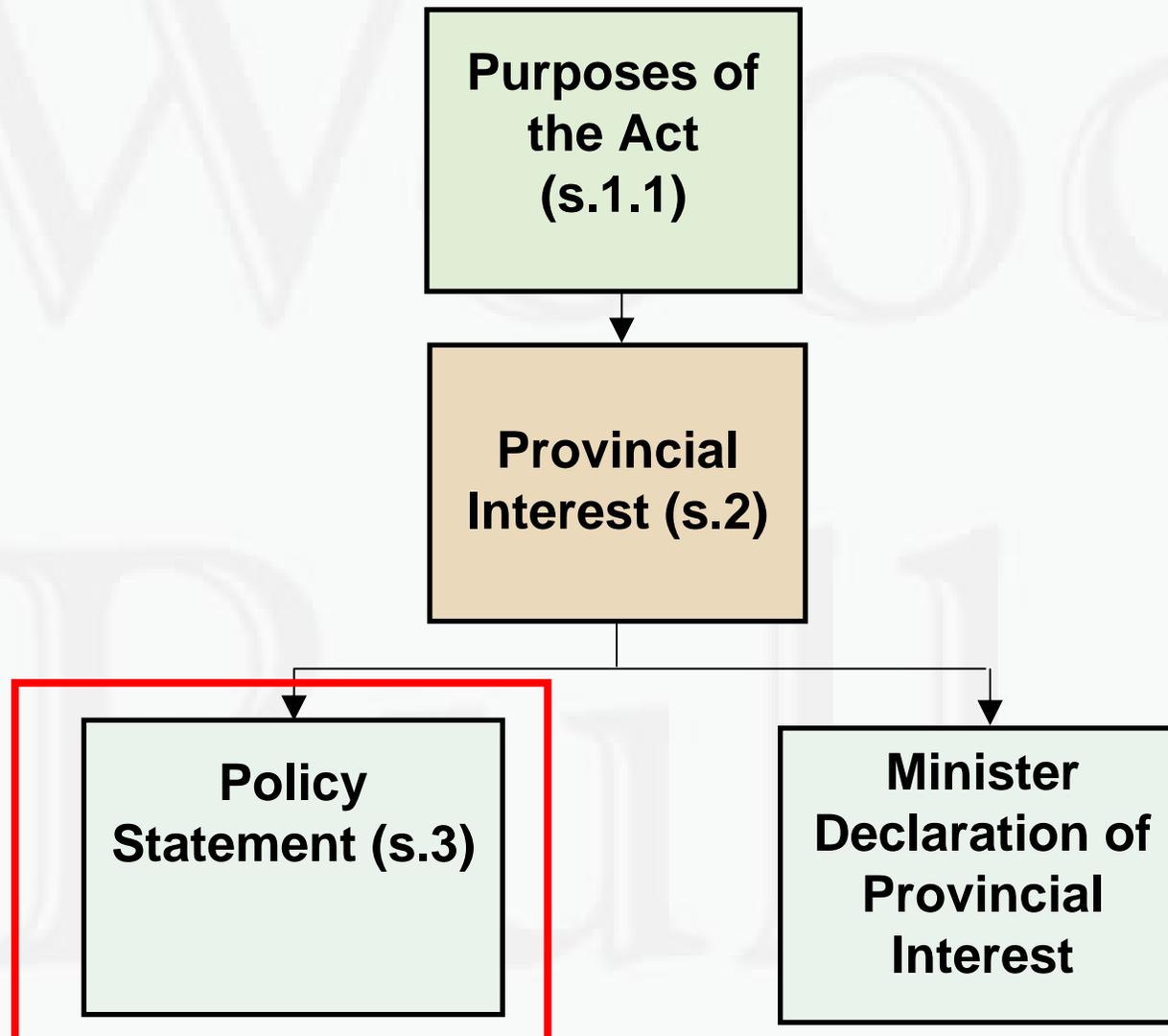
# Planning Act



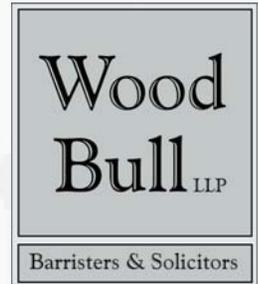
# Planning Act: Matters of Provincial Interest (s.2)



# Planning Act



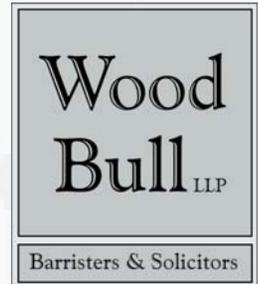
# Planning Act: Policy Statement



- **Policy statements [s.3(1)]**

The Minister, or the Minister together with any other minister of the Crown, may from time to time issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to municipal planning that in the opinion of the Minister are of provincial interest. (s.3.1)

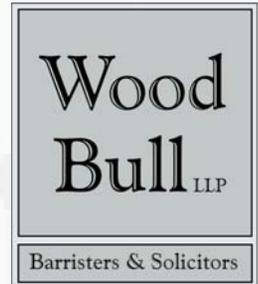
# Planning Act: Policy Statement



- **Consistency with policy statements [s.3(5)]**

A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter, shall be consistent with policy statements issued under subsection (1).

# Planning Act: Policy Statement



- **Advice [s.3(6)]**

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with policy statements issued under subsection (1).

# Provincial Policy Statement, 2005

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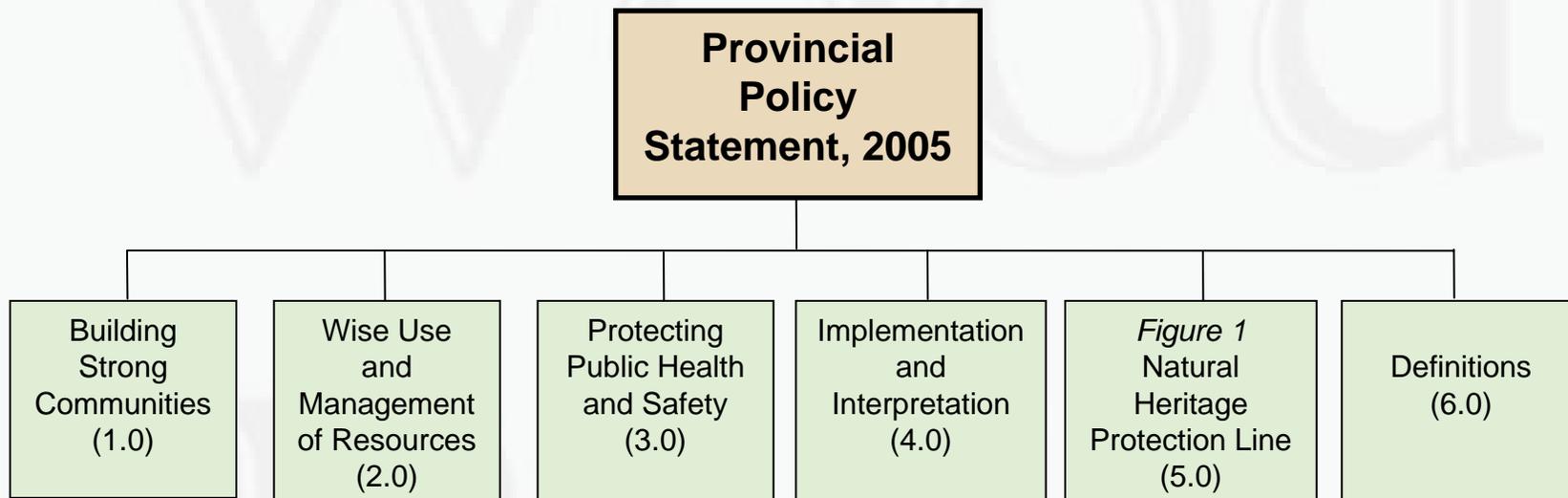
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- Issued under Section 3 of the *Planning Act*
- Approved by the Lieutenant Governor in Council, Order in Council No. 140/2005
- New PPS came into effect on March 1, 2005
- Applies to all applications, matters or proceedings commenced on or after March 1, 2005

# Provincial Policy Statement, 2005

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# Provincial Policy Statement, 2005

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## 1.0 Building Strong Communities

1.1 - Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

1.2 Coordination

1.3 Employment Areas

1.4 Housing

1.5 Public Spaces, Parks and Open Space

1.6 Infrastructure and Public Service Facilities

1.7 Long-Term Economic Prosperity

1.8 Energy and Air Quality

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

Development and Land Use Patterns

Settlement Areas

Rural Areas in Municipalities

Rural Areas in Territory Without Municipal Organization

# Provincial Policy Statement, 2005: Definitions

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- *Designated growth areas:*

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

# Provincial Policy Statement, 2005: Definitions

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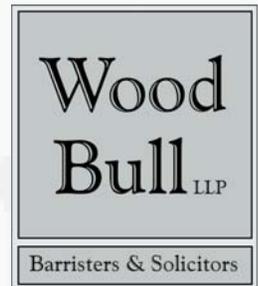
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- *Settlement areas:*

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

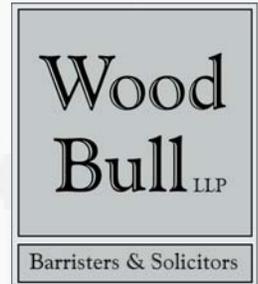
- built up areas where development is concentrated and which have a mix of land uses; and
- lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement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

# Provincial Policy Statement, 2005: Definitions



- *Intensification* : means the development of a property, site or area at a higher density than currently exists through:
  - redevelopment, including the reuse of brownfield sites;
  - the development of vacant and/or underutilized lots within previously developed areas;
  - infill development; and
  - the expansion or conversion of existing buildings.
- *Residential intensification*: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:
  - redevelopment, including the redevelopment of brownfield sites;
  - the development of vacant or underutilized lots within previously developed areas;
  - infill development;
  - the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
  - the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

# Provincial Policy Statement, 2005: Definitions

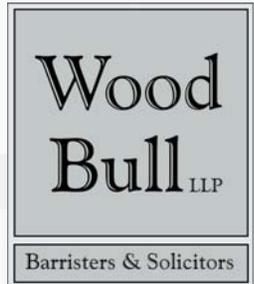


- *Comprehensive review:*

means

- a) for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
  1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
  2. utilizes opportunities to accommodate projected growth through intensification and redevelopment;
  3. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2;
  4. is integrated with planning for infrastructure and public service facilities; and
  5. considers cross-jurisdictional issues.

# Provincial Policy Statement, 2005: Definitions



- *Comprehensive review:*  
means
  - b) for the purposes of policy 1.1.5, means a review undertaken by a planning authority or comparable body which:
    1. addresses long-term population projections, infrastructure requirements and related matters;
    2. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; and
    3. considers cross-jurisdictional issues.

[1.1.5 Rural Areas in Territory Without Municipal Organization]

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- (a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- (b) accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;
- (c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- (d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- (e) promoting cost-effective development standards to minimize land consumption and servicing costs;
- (f) improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society; and
- (g) ensuring that necessary *infrastructure* and public *service facilities* are or will be available to meet current and projected needs.

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

1.1.2 Sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

### 1.1.3.2

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

b) range of uses and opportunities for ***intensification*** and *redevelopment* in accordance with the criteria in policy 1.1.3.3

### 1.1.3.3

Planning authorities shall identify and promote opportunities for ***intensification*** and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

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

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

### 1.1.3.4

Appropriate development standards should be promoted which facilitate **intensification**, redevelopment and compact form, while maintaining appropriate levels of public health and safety.

### 1.1.3.5

Planning authorities shall establish and implement minimum targets for **intensification** and *redevelopment* within built-up areas. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

### 1.1.3.6

Planning authorities shall establish and implement phasing policies to ensure that specified targets for **intensification** and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*.

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

### 1.1.3.7

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

### 1.1.3.8

Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure and public service facilities* required to meet current and projected needs.

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

### 1.1.3.9

A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:

- a) sufficient opportunities for growth are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
- b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term and protect public health and safety;

# Provincial Policy Statement, 2005

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## 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

### 1.1.3.9 (cont'd)

- c) in *prime agricultural areas*:
  1. the lands do not comprise *specialty crop areas*;
  2. there are no reasonable alternatives which avoid *prime agricultural areas*; and
  3. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*; and impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.
  
- d) In determining the most appropriate direction for expansions to the boundaries of *settlement areas* or the identification of a *settlement area* by a planning authority, a planning authority shall apply the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

# Provincial Policy Statement, 2005

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## 1.3 Employment Areas

planning for, protecting and preserving *employment areas*

conversion of lands within *employment areas* to non-employment uses

# Provincial Policy Statement, 2005: Definitions

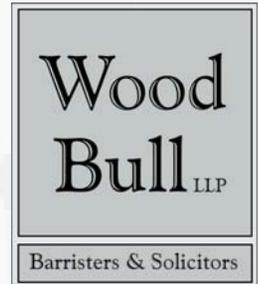
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- *Employment area:*

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

# Provincial Policy Statement, 2005: Definitions



- *Comprehensive review:*

means

- a) for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
  1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
  2. utilizes opportunities to accommodate projected growth through intensification and redevelopment;
  3. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2;
  4. is integrated with planning for infrastructure and public service facilities; and
  5. considers cross-jurisdictional issues.

# Provincial Policy Statement, 2005: Definitions

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- *Comprehensive review:*

means

- b) for the purposes of policy 1.1.5, means a review undertaken by a planning authority or comparable body which:
  1. addresses long-term population projections, infrastructure requirements and related matters;
  2. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; and
  3. considers cross-jurisdictional issues.

[1.1.5 Rural Areas in Territory Without Municipal Organization]

# Provincial Policy Statement, 2005

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## 1.3 Employment Areas

**1.3.1** Planning authorities shall promote economic development and competitiveness by:

1. providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
2. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
3. planning for, protecting and preserving *employment areas* for current and future uses; and
4. ensuring the necessary *infrastructure* is provided to support current and projected needs.

# Provincial Policy Statement, 2005

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## 1.3 Employment Areas

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

# Provincial Policy Statement, 2005

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## 1.6 Infrastructure and Public Service Facilities

Sewage and Water

Transportation Systems

Transportation and Infrastructure Corridors

Airports

Waste Management

# Provincial Policy Statement, 2005

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Barristers & Solicitors

## 2.0 Wise Use and Management of Resources

2.1 Natural Heritage

2.2 Water

2.3 Agriculture

2.4 Minerals and Petroleum

2.5 Mineral Aggregate Resources

2.6 Cultural Heritage and Archaeology

# Provincial Policy Statement, 2005

Wood  
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Barristers & Solicitors

## 3.0 Protecting Public Health and Safety

3.1 Natural Hazards

3.2 Human-made Hazards

# Employment Areas: Conversion Process

## APPLICATION

PPS, 2005 applies to all applications, matters or proceedings commenced on or after March 1, 2005. *Ref: PPS, 2005, Policy 4.1*  
 Growth Plan applies to all matters commenced on or after June 16, 2006 + retroactive application re expansion of settlement area  
*Ref: Places to Grow Act, 2005, Reg re Transitional Matters*

Identify the applicable land use designation in the:  
 (i) single-tier official plan; or (ii) local and regional official plans.

Analyse the range of permitted uses to determine if the lands are located within an area designated for “clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities”.  
*Ref: PPS, 2005 and Growth Plan, definition of “employment areas”*

“Associated retail” is not defined in the Growth Plan or PPS, 2005.

“Regeneration area” is not defined in the Growth Plan or PPS, 2005. Ontario Growth Secretariat: “regeneration areas” are to be defined in municipal official plans. It is not the intention of the Growth Plan to limit opportunities for redevelopment on individual parcels within employment areas for which the municipality is encouraging redevelopment.

Determine if the lands are located in a:  
 (i) downtown area; or a  
 (ii) regeneration area.  
*Ref: Growth Plan, Policy 2.2.6.6*

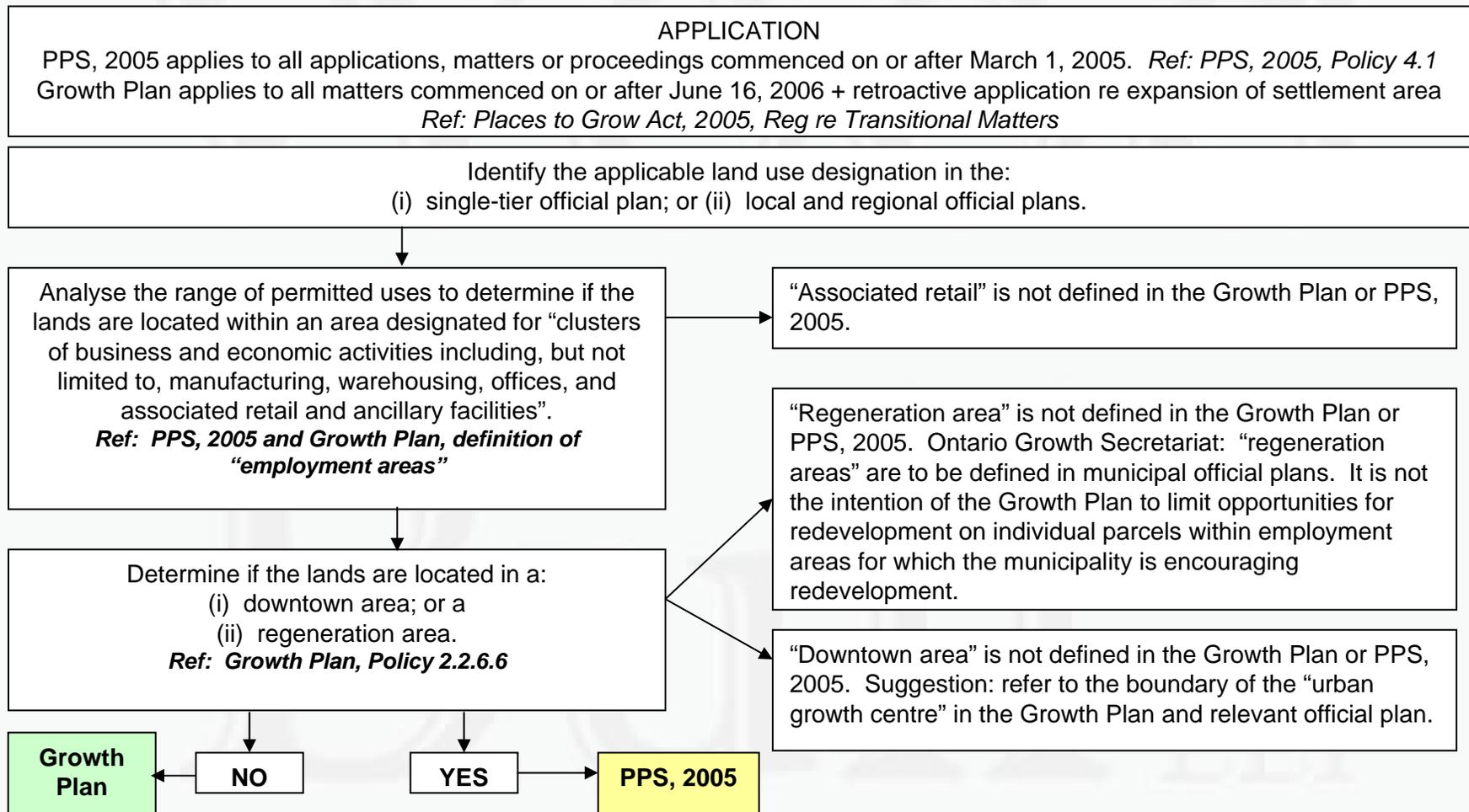
“Downtown area” is not defined in the Growth Plan or PPS, 2005. Suggestion: refer to the boundary of the “urban growth centre” in the Growth Plan and relevant official plan.

Growth Plan

NO

YES

PPS, 2005



# Employment Areas: Conversion Process



## GROWTH PLAN

Municipalities may permit conversion to non-employment uses or major retail uses

The conversion must occur through a *municipal comprehensive review* (an official plan review or amendment initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan)

where it has been demonstrated that: ...

a) there is a need for the conversion

b) the municipality will meet the employment forecasts allocated to the municipality pursuant to this Plan

## PROVINCIAL POLICY STATEMENT, 2005

Planning authorities may permit conversion to non-employment uses

The conversion must occur through a *comprehensive review*.  
*Comprehensive review* means “an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

only where it has been demonstrated that:

there is a need for the conversion.

“Employment uses” is not defined but other references to “employment uses” in the PPS, 2005 suggest that “employment uses” include retail uses:

- Planning authorities shall promote economic development and competitiveness by: ... providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs  
**Ref: PPS, 2005, Policy 1.3.1 a)**
- Planning authorities shall support energy efficiency and improved air quality .... Promote the use of public transit and other alternative transportation modes in and between residential, employment (including commercial, industrial and institutional uses) and other areas ...  
**Ref: PPS, 2005, Policy 1.8.1 b)**

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c) the conversion will not adversely affect the overall viability of the *employment area*, and achievement of the *intensification target*, *density targets*, and other policies of this Plan

d) there is existing or planned infrastructure to accommodate the proposed conversion

e) the lands are not required over the long term for the employment purposes for which they are designated

f) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses.

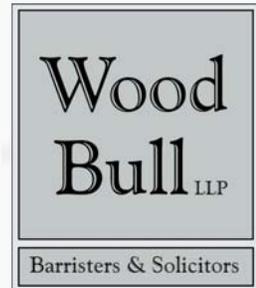
**Ref: Growth Plan, Policy 2.2.6.5**

## PROVINCIAL POLICY STATEMENT, 2005

the land is not required for employment purposes over the long term;

(v) considers cross-jurisdictional issues.

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GROWTH PLAN

PROVINCIAL POLICY STATEMENT, 2005

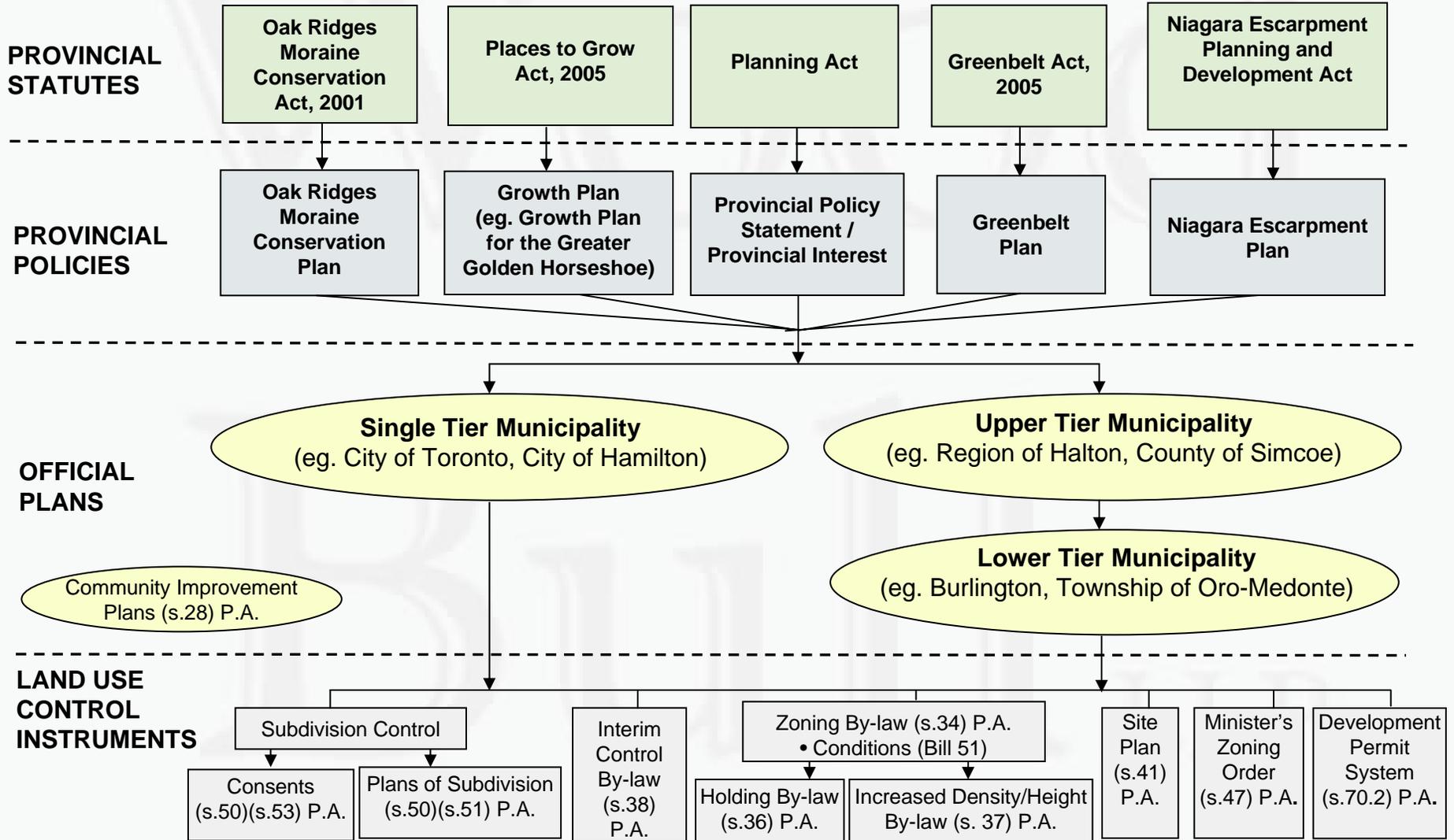
(i) is based on a review of population and growth projections and which reflect projections and allocations of upper tier municipalities and *provincial plans* where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;

(ii) utilises opportunities to accommodate projected growth through *intensification* and *redevelopment*;

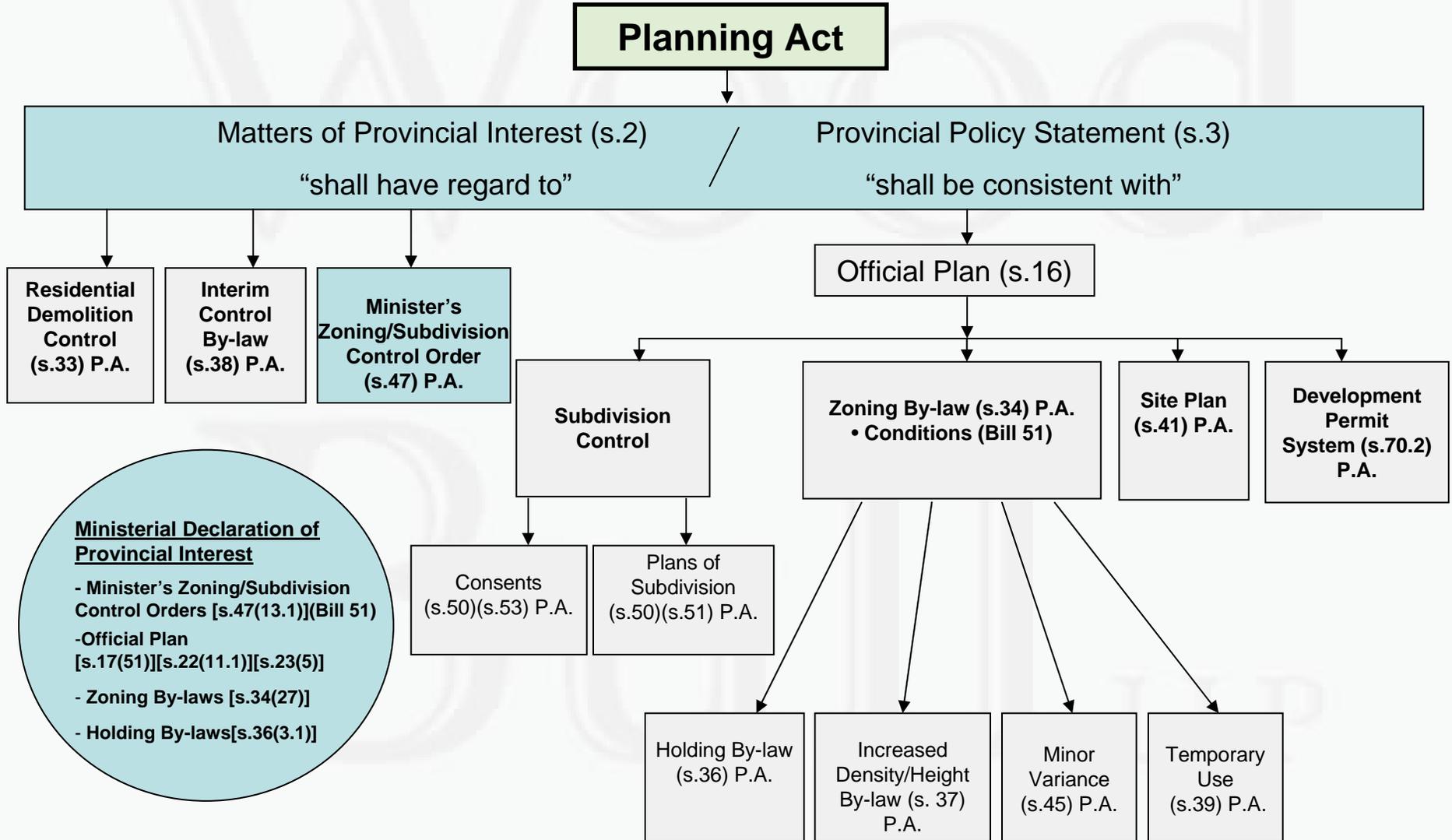
(iii) confirms that the lands to be developed do not comprise *specialty crop areas*;

(iv) is integrated with planning for *infrastructure* and *public service facilities*; and

# Provincial / Municipal Planning Structure



# Planning Act: Legislative Framework



# Planning Act: Matters of Provincial Interest: Sustainable Development

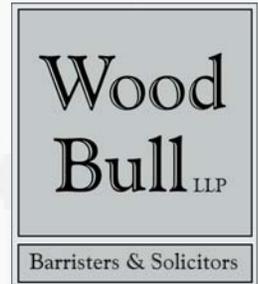
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2. The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as...

***(q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians. (Bill 51)***

# Planning Act: Site Plan Control: Sustainable Development



## 41 (4)(2) P.A. [Site Plan Control – Required Drawings]

- (a) the massing and conceptual design of the proposed building;
- (b) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access; and
- (c) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings.
- (d) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, if an official plan and a by-law passed under subsection (2) that both contain provisions relating to such matters are in effect in the municipality. (Bill 51)**

# Synopsis: Municipal Perspective

