

Revisions Suggested to Implement the Planning Act and Provincial Policy Statement, 2020					
Item	OP Policy Number	Comments/Concerns	Related Provincial Ministries	Reference to Planning Act, PPS or Provincial Plan Section or Policy	Proposed Revision
1.	2.2.2(3) 2.2.2(7)	<p>The draft Official Plan does not appear to have policies related to corridor protection to support economic development.</p> <p>For additional information on this subject, staff may wish to refer to MTO’s “Freight Supportive Guidelines” as it finalizes the draft Official Plan and operationalizes corridor protection policies through its Transportation Master Plan and subsequent projects and undertakings.</p>	MTO	PPS 1.6.8.2 PPS 1.6.8.3	<p>It is recommended to include a new policy in either section 2.2.2(3) or 2.2.2(7), or within section 4.1.6 of the draft Official Plan addressing corridor protection. An example of the policy reads as follows:</p> <p><i>“Major goods movement facilities and corridors that support strategic freight, storage and logistics locations shall be protected for the long term. New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.”</i></p>
2.	3.1.5(e)	<p>This policy states that lands adjacent to, or within 200 metres from a Mineral Resource Overlay, are excluded from consideration for new or additional urban area or new or additional village area. It is recommended for adjacent lands to be at least 500 metres from the boundary of bedrock deposits and at least 300 metres from the boundary of sand and gravel deposits. A 200 metre setback is not sufficient to protect either high potential aggregate resources or existing pits and quarries from incompatible land uses associated with urban areas or villages.</p>	MNRF	MNRF’s Non-Renewable Resources Training Manual to support implementing PPS policy section 2.5	<p>It is recommended for policy 3.1.5(e) to be revised as follows:</p> <p>e) That lands adjacent to or within 200 500 metres from a Mineral Resource Overlay <i>due to being a bedrock aggregate resource deposit</i> are excluded from consideration, <i>and lands adjacent to or within 300 metres from a Mineral Resource Overlay due to being a sand and/or gravel aggregate resource deposit are excluded from consideration;</i></p>
3.	4.1.3(3)	<p>This policy recognizes the importance of Highway 174 and the importance of protecting this transportation infrastructure. In order to be consistent with PPS 1.6.8.1, it would be beneficial for similar protections to be afforded to the provincial highway infrastructure.</p>	MTO	MTO Guidelines for Municipal Official Plan Preparation and Review (s.3.1) to	<p>It is recommended for the policy to be revised by including the new paragraph as follows:</p> <p><i>“3) The City recognizes the role of Highway 174 as an important city freeway and rural arterial roadway. Therefore, new accesses from individual properties along this roadway will generally not be permitted, particularly when shared or joint access, or alternative road access points are possible. In the long term,</i></p>

				support implementing PPS 1.6.8.1	public streets and private driveways that currently access Highway 174 may be subject to consolidation or relocation of access points if roadway modifications or development of affected properties occurs at some future date. <i>In addition to all the applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a provincial highway within MTO's permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will also be subject to MTO approval. Direct access will be discouraged and often prohibited.</i>
4.	4.1.6(6)	<p>As you are aware, any decisions regarding the infrastructure related to provincial Highways 417, 416, 7 and 17 are of MTO's sole jurisdiction. Interchanges are part of "planned corridors" (as set in PPS 1.6.8.3 and defined in the PPS) and are designed using technical design standards and protected for their long-term use. This policy of the draft Official Plan suggests that alterations can be made to the footprint of interchanges which may contravene the PPS as it states development adjacent to existing or planned corridors must be compatible with and supportive of the corridor (not the other way around).</p> <p>There are ways to enhance connectivity without adversely impacting interchange footprints. Shrinking interchange footprint may create other points of conflict for vulnerable users as well as increasing congestion and other operational issues that can lead to reduced pedestrian and cyclist safety.</p> <p>MTO staff wish to work with the City of Ottawa to find solutions regarding connectivity without negatively impacting the function of provincial highway infrastructure.</p>	MTO	PPS 1.6.8.1 PPS 1.6.8.3	<p>It is recommended to revise this policy as follows:</p> <p>For grade-separated provincial highway interchanges corridors within the urban area, particularly close to transit stations, the City shall work, in collaboration with the Ministry of Transportation of Ontario (MTO) as appropriate, to reduce the overall interchange footprint, enhance connectivity and facilities for multi-modal travel and support efficient uses of land and transportation structures infrastructure that provide the necessary traffic functions. while allowing for other uses better aligned with the strategic directions of the Official Plan.</p>
5.	4.1.6(7)	MTO staff appreciate the impact of Highway 417 expansions on the City. However, the challenges of maintaining or changing highway infrastructure follow existing processes under the <i>Environmental Assessment Act</i> and such concerns are addressed on a project by project basis. This policy may	MTO	PPS- multiple sections related to transportation	<p>It is recommended to delete policy 4.1.6(7) in its entirety.</p> <p>Should the City wish to retain this policy, it is kindly requested to connect with MMAH so that further discussions may take place on appropriate policy wording that does not potentially impact provincial mandates.</p>

		<p>create an unnecessary point of contention between the MTO and the City and as such, should be removed.</p> <p>It is noted that highway widening was required during Stage 1 for the Ottawa Light Rail Transit and work is underway to finalize designs around the Highway 417 ramps right of way, as part of Stage 2 (e.g. around Pinecrest and Moodie stations). Retaining this policy could have unintended consequences for future transit planning work near Highway 417 and other provincial highways.</p>			
6.	4.2	<p>It is recommended that the introduction of this policy section be bolstered to align with PPS policy direction on the adequate provision of housing.</p> <p>Section 1.4.3, b) 1. of the PPS makes specific reference to the provision of housing opportunities for residents with special needs requirements. It is recommended for this section to be revised to reflect the need for housing for residents with special needs.</p> <p>Section 6.0 of the PPS indicates that in the case of rental housing, affordable housing means the least expensive of: 1) A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or 2) A unit for which the rent is at or below the average market rent of a unit in the regional market area. It may be important to include this additional definition as provincial affordable housing programs referenced in the Housing and Homelessness Plan typically rely on the average market rent (AMR) definition. The province requires affordable rent to be 80% of AMR for new units to be eligible to receive provincial funding, and units must be at or below AMR to be eligible for provincial rent subsidies.</p> <p>It is recommended for this policy to make reference to the city's long-term financial plan for housing which will align the PPS</p>	MMAH	<p>PPS Part IV PPS 1.4.3 PPS Definition s "affordable" and "low to moderate income households" s. 37 of the <i>Planning Act</i></p>	<p>It is recommended for the introductory paragraph of Section 4.2 of the draft Official Plan to be revised as follows:</p> <p>"4.2 Housing</p> <p>Adequate, safe and affordable housing makes Ottawa a good place to live and do business. Housing that meets needs across ages, incomes, and backgrounds, and supports accessibility needs is a key requirement to the health and well-being of current and future residents.</p> <p>Affordable housing is defined by the Provincial Policy Statement as housing for which a low and moderate-income household pays no more than 30% of the household's gross annual income for home ownership or rental housing, or a unit for which the rent is at or below the average market rent of a unit in the regional market area. Low to moderate income households are those with incomes in the lowest 60 percent of the income distribution for the regional market area. The Official Plan will continue to coordinate with and support the goals of the Ten-year Housing and Homelessness Plan, and the Long-Term Financial Plan for Housing Services, as amended from time to time. The City will promote the achievement of affordable housing for low and moderate income households by providing a toolkit of planning incentives and direct supports, including but not limited to: density bonusing section 37 benefits; density transfer; deferral or waiving of fees and charges; alternative development standards; land; more flexible zoning that allows for a greater number of units within the permitted built form envelope; and application processing priority."</p>

		<p>vision (Part IV) that “<i>land use patterns... support the financial well-being of the Province and municipalities over the long term</i>”.</p> <p>Section 6.0 of the PPS includes a definition for “low to moderate income households”. The draft Official Plan refers to both “low and moderate income” and also “households under the 60th income percentile.” Clarity should be provided that the terms utilized are one in the same.</p> <p>The introductory paragraph makes reference to” density bonusing” as a tool to support the achievement of affordable housing. The City should consider the reference to this discretionary ‘tool’ as it has changed to “community benefit charges” through recent reform (Bill 197) to section 37 the <i>Planning Act</i>.</p>			
7.	4.2.1(1)	<p>This policy discusses the City’s efforts in providing a range and supply of housing to meet projected needs. However, there appears to be a policy omission with respect to the City maintaining land with servicing capacity sufficient to provide at least a three year supply of residential units, as per PPS 1.4.1 b).</p>	MMAH	PPS 1.4.1 b)	<p>It is recommended to insert a new bullet point e) in the section stating:</p> <p>“e) The City shall maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three year supply of residential units available through lands suitably zoned to facilitate regeneration and land in draft approved and registered plans.”</p>
8.	4.2.2	<p>Although the City has developed policies facilitating the development of a wide array of housing typology that may assist in increasing the affordable housing supply, there does not appear to be a policy explicitly identifying an affordable housing target which the City is to establish and implement, as described in PPS 1.4.3 a).</p>	MMAH	PPS 1.4.3 a) PPS 1.2.1 h)	<p>It is recommended to insert a new policy as subsection (3) to this section identifying an affordable housing target which the City hopes to achieve in implementing the Official Plan. The affordable housing target should align with information and details contained in the City’s Housing and Homelessness Plan.</p>
9.	4.2.4(1)(b) 4.2.4(2)(d)	<p>This policy states that the City will not impose separation distances or caps to unreasonably limit the opportunity to locate housing intended to serve vulnerable populations. It is not appropriate to impose any limitations to the development of such housing. Further information may be found in the document “In The Zone: Housing, Human Rights and Municipal Planning” found at the following link:</p>	MMAH	PPS 4.4 Section 35 of the <i>Planning Act</i>	<p>1. It is recommended for policy 4.2.4(1)(b) to be revised as follows:</p> <p>b) Further to (a), the City shall not establish restrictions, including minimum separation distances or caps, whose effect is to unreasonably limit the opportunity to provide such housing forms.</p>

		http://www.ohrc.on.ca/en/zone-housing-human-rights-and-municipal-planning			2. It is recommended for policy 4.2.4(2)(d) to be revised as follows: d) Not establish restrictions, including minimum separation distances or caps, whose effect is to unreasonably limit the opportunity to provide such shelter and housing forms.
10.	4.2.4(5)	<p>This policy can be bolstered to more closely align with section 1.2.1(h) of the PPS as it relates the correlation between planning and Housing and Homelessness Plans.</p> <p>Also, it is recommended for the policy to be revised to recognize the distinction between section 16(4) and 16(5) of the <i>Planning Act</i>, whereby section 16(4) provides direction for Official Plan policies for prescribed municipalities and section 16(5) provides direction for Official Plan policies for municipalities that have not been prescribed. As the City of Ottawa is currently not prescribed, the use of Inclusionary Zoning provisions is limited to protected major transit station areas, and areas which the Minister has ordered a Community Planning Permit System be established. It is kindly reminded that any future OPA to enact Inclusionary Zoning policies must include goals and objectives sought by the Inclusionary Zoning policies (as well as procedures and measures aimed at obtaining the goals/objectives) and must be informed by an assessment report.</p>	MMAH	PPS 1.2.1(h) Section 16 of the <i>Planning Act</i>	<p>It is recommended for policy 4.2.4(5) to be revised as follows:</p> <p>“5) The City shall, as a priority measure, implement Inclusionary Zoning as provided by 16(4), 16(5) and 35.2 of the <i>Planning Act</i> as a mechanism to meet the affordable housing goals identified in the Ten year Housing and Homelessness Plan through a future amendment to this plan.”</p>
11.	4.7.2(7)(b)	<p>PPS 1.6.6.5(b) outlines that partial services shall only be permitted within settlement areas to allow for infilling <u>and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provisions of such services with no negative impacts.</u></p> <p>The underlined portion of the PPS policy above has been omitted from the policy addressing the provision of partial services for the purposes of minor rounding out, and that the provision of partial services must be on site conditions suitable for the long term provision of such services with no negative impacts.</p>	MECP	PPS 1.6.6.5 b) PPS definition “negative impacts”	<p>It is recommended to revise this policy to read as follows:</p> <p>b) Within the urban area and in villages where development on partial services already exists and the proposal constitutes minor infill or minor rounding out provided that site conditions are suitable for the long-term provision of such services with no negative impacts.</p>

12.	4.8(1) 5.6.3	<p>These policies provide protection to the City’s natural heritage system and natural heritage features, as outlined in PPS 2.1. However, PPS 2.1.9 indicates that <i>“nothing in policy 2.1 is intended to limit the ability of agricultural uses to continue.”</i></p> <p>The draft Official Plan policies are silent with respect to recognizing 1) the continuation of existing agricultural operations within the City’s significant natural heritage features and 2) outside significant natural heritage features considering new or expanding agricultural uses within the City’s natural heritage system (e.g., linkages) as they can function as “working landscapes” that enable ecological functions to continue.</p>	OMAFRA	PPS 2.1.9 PPS 2.1.3 PPS definition “natural heritage system”	<p>It is recommended for a new subsection 4.8.1(10) to be inserted in the draft Official Plan addressing how PPS 2.1.9 will be implemented.</p> <p>If deemed appropriate, the City may wish to include the new policy within section 5.6.3 of the Official Plan.</p>
13.	4.8.1(6)	<p>A no net loss approach with respect to forests and wetlands is proposed in the draft Official Plan.</p> <p>No net loss means no loss in total area or ecosystem services as assessed in a landscape context over appropriate spatial and time scales. This approach would not be considered consistent with PPS 2.1.4 with respect to significant wetlands. It is recommended to clarify the policy to indicate that this approach may only be considered for wetlands that have been evaluated and deemed not provincially significant.</p> <p>Further, for development and site alteration to occur within significant woodlands and on adjacent lands, the PPS requires demonstration of no negative impact on the natural feature or their ecological functions. It is unclear if the implementation of a no net loss approach is consistent with the PPS.</p>	MNRF	PPS 2.1.4 PPS 2.1.5 PPS 2.1.8	<p>It is recommended for the policy to be revised as follows:</p> <p>6) Development or site alteration shall take a no net loss approach with respect to evaluated wetlands deemed not provincially significant and forest cover in the rural area. Mechanisms for achieving no net loss include land use planning, development processes, acquisition and conservation of land, and support for voluntary, private land conservation and stewardship. Development and site alteration is prohibited in provincially significant wetlands.</p> <p>With respect to significant woodlands, more information is requested on how a no net loss approach to development and site alteration is consistent with the PPS.</p>
14.	4.11	<p>This section addresses “Generally Permitted Uses” across the city. The draft Official Plan appears to be silent on permitting wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts without the need for an official amendment, rezoning, or community planning permit under the <i>Planning Act</i> in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be</p>	MNRF	PPS 2.5.5.1	<p>It is recommended to insert a new subsection (7) in this section of the draft Official Plan to address wayside pits and quarries, portable asphalt plants, and portable concrete plants as outlined in PPS 2.5.5.</p>

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		incompatible with extraction and associated activities. It would be appropriate for these policies to be under Generally Permitted Uses.			
15.	5.6.2	The two Aggregate Overlays and associated policies in the draft Official Plan protect known mineral aggregate deposits of good quantity and quality for future extraction. However, the area within these overlays reflect some but not all of the significant sand and gravel and bedrock deposits identified in the Aggregate Resources Inventory Paper 191 for the City of Ottawa. PPS policy 2.5.1 states that mineral aggregate resources shall be protected and, where provincial information is available, these resources be identified. Further PPS policy 2.5.2.1 requires that as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. The intent of this policy is to protect these resources and keep available for use, as much resource as possible for a long-term resource supply while taking into account other planning objectives. It is unclear how the amount of deposits protected within the aggregate overlays reflect this balance between long-term supply and other planning matters.	MNRF	PPS 2.5.1 PPS 2.5.2.1	Additional information is requested to understand how the City prioritized the protection of the mineral aggregate deposits identified within the aggregate overlays and how this amount of aggregate will provide a long-term resource supply. Staff of MMAH and MNRF would be pleased to meet with city staff to discuss this comment in greater detail.
16.	5.6.2.1(6)	This policy permits pits and quarries as an interim use in the Agricultural Resource Area outside of the overlay areas, subject to lands being rehabilitated to an agricultural condition. However, this policy does not fully address the policy direction provided in PPS Policy 2.5.4.1 as it relates to rehabilitation of lands in prime agricultural areas.	MNRF	PPS 2.5.4.1	It is requested for this policy to be revised as follows: 6) Aggregate extraction may be permitted as an interim use in the Agricultural Resource Area outside of the mineral aggregate overlay subject to the lands being rehabilitated to an agricultural condition, with soils of equivalent or better quality than prior to the extraction, as shall be documented prior to the commencement of aggregate extraction operations. Complete rehabilitation to an agricultural condition is not required within prime agricultural areas where there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible.

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17.	5.6.3.1	<p>Policies in other sections of the draft Official Plan require that development and site alteration within 120 metres of the boundary of a Significant Wetland or the boundary of a Natural Environment Area must demonstrate no negative impacts on the natural features or their ecosystem services within the area.</p> <p>There appears to be no policy, however, to require demonstration of no negative impact on significant natural heritage features and fish habitat with respect to development and site alteration on adjacent lands outside of the Significant Wetland and Natural Environment Area sub-designations.</p>	MNRF	<p>PPS 2.1.8 PPS definition “adjacent lands” and “negative impacts” and MNRF’s natural heritage reference manual</p>	<p>It is recommended for a new policy to be inserted as subsection 5.6.3.1(5) to read as follows:</p> <p>“5) Development and site alteration shall be prohibited on adjacent lands (120 metres) to the significant natural heritage features and areas within the Natural Heritage Feature Overlay unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.”</p>
18.	6.1.2(2)	<p>This section makes reference to Table 9 of the draft Official Plan which provides the minimum people/jobs per hectare planned to be accommodated in each PMTSA, as required by clause (a) of subsection 16(15) of the <i>Planning Act</i>. However, the requirements of clause (c) in this subsection has been omitted from the draft Official Plan, which requires municipalities to have Official Plan policies identifying the minimum densities authorized with respect to buildings and structures on lands within each PMTSA.</p>	MMAH	<i>Planning Act</i>	<p>It is recommended to include policies (or information described in a table or schedule) in the draft Official Plan outlining the minimum densities with respect to buildings on lands within each PMTSA. MMAH staff would be pleased to have a dialogue on how this can be achieved.</p>
19.	7.3(1)(e)	<p>This policy provides protection to Urban Natural Features by requiring proponents of development to demonstrate that development and/or site alteration within 30 metres of such features shall have no negative impacts on the feature or its ecosystem services.</p> <p>Although these lands are publicly owned urban natural areas managed for conservation or passive leisure uses, it is possible for some of these lands to be deemed a provincially significant natural heritage feature as described in PPS 2.1.4 and PPS 2.1.5, which have adjacent lands of 120 metres as opposed to 30 metres.</p>	MNRF	PPS 2.1.8	<p>It is recommended for the policy to be revised as follows:</p> <p>e) Development and site alteration within 30 m of the boundary of an Urban Natural Feature must demonstrate no negative impacts on the natural features within the area or their ecosystem services. Where the Urban Natural Feature is deemed to be a provincially significant natural heritage feature as described in the Provincial Policy Statement, 2020, development and site alteration within 120 metres of the boundary of the feature must demonstrate that there will be no negative impacts on the natural feature or its ecological functions.</p>
20.	7.3(3)(i)	<p>The City is encouraged to protect both Regionally and Locally Significant Areas of Natural and Scientific Interest (ANSIs). MNRF has a role, including a consulting role, with respect to identifying and amending the boundaries of <u>all</u> ANSIs. It is</p>	MNRF	<p>PPS 2.1.5 PPS definition “Areas of Natural and</p>	<p>It is recommended to revise policy 7.3(3)(i) as follows:</p> <p>i) The City may adjust the boundaries of Natural Environment Areas to reflect their features and functions based on new information as it is obtained. Where</p>

		<p>recommended for the policy to be revised to reflect that MNRF's role is not limited to provincially-identified ANSIs only.</p> <p>It is also recommended to clarify which Ministry is being referred to within this policy (Ministry of Natural Resources and Forestry).</p>		<p>Scientific Interest" as supported by the Natural Heritage Reference Manual (s.4.3)</p>	<p>boundary adjustments impact Provincial Areas of Natural and Scientific Interest, the agreement of the Ministry of Natural Resources and Forestry shall be required; and</p>
21.	9	<p>1. The draft Official Plan only indicates that MDS is applicable to three development scenarios:</p> <ul style="list-style-type: none"> • In section 3.4(8) with respect to the re-location of country lot subdivisions; • In section 9.2.3(3)(h) with respect to lot creation in the Rural Countryside; and • In section 12.2(1)(d) with respect to the development or revision of an existing secondary plan. <p>It is not clear that MDS will apply to other <i>Planning Act</i> approvals (such as Official Plan/Zoning amendments, lot creation) across the range of Rural designations. It is recommended that a policy be added to ensure that MDS is applied to the range of development scenarios and locations that would trigger MDS. Further guidance can be found in OMAFRA's MDS Implementation Guidelines (publication 853) at the following link: http://www.omafra.gov.on.ca/english/nm/buildev/MDSAODA.pdf.</p> <p>2. The draft Official Plan does not provide a policy direction in the municipal application of MDS where options/flexibility exists. More specifically, the draft Official Plan does not articulate how MDS will be applied for 'MDS I setbacks from surrounding livestock facilities on different lots than the residence surplus to a farming operation proposed to be severed' (Guideline # 9), or 'MDS I setbacks for agriculture-related uses and on-farm diversified uses' (Guideline #35).</p>	OMAFRA	PPS 1.5.5.8	<p>1. It is recommended for a new policy 9.1.1(4) to be inserted in the draft Official Plan to read as follows: "4) New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae."</p> <p>2. It is recommended that a position as to how MDS will be applied in these situations be clarified through introduction of a new policy within this section of the draft Official Plan, otherwise, it should be noted that the default position identified in the MDS Guidelines will apply.</p> <p>Further guidance to assist with the development of local MDS policies can be found in Section 8.1 'Incorporating this MDS Document into Local Planning Documents' of the MDS Guideline document. Detailed information on Guideline # 9 (referred to as Option B) and Guideline #35 (referred to as Option C) can be found in Section 8.1, beginning on page 95.</p>

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22.	9.1.2(1) 9.1.2(2)	<p>These sections of the draft Official Plan (including associated definition for on-farm diversified uses) help ensure that agricultural uses and on-farm diversified uses are permitted, as appropriate. It is noted that the term “agriculture-related use” is not defined in the draft Official Plan whereas it is defined in the PPS.</p> <p>As currently drafted, the policies do not ensure that the additional criteria applicable to agricultural-related uses set in the PPS will be applied.</p>	OMAFRA	PPS Definition of “agriculture-related uses”	<p>It is recommended to revise these policies to ensure the criteria identified in the PPS definition for “agriculture-related uses” are incorporated.</p> <p>The City is encouraged to also revise policy 9.1.2(2) so that it references the provincial guidelines to communicate the suite of criteria that are to be applied when proposals for such uses are evaluated.</p> <p>It is also recommended to include a definition of agriculture-related use in the draft Official Plan as defined in the PPS.</p>
23.	9.1.3(3) 9.1.3(5)	<p>Section 9.1.3(5) outlines that lot line adjustments will be considered when addressing surplus dwellings resulting from a farm consolidation. As written, the policy proposes a framework that may not align with PPS 2.3.4.2.</p> <p>Additionally, while the policies related to consents involving a residence surplus to a farming operation incorporate some of the associated criteria as found in PPS 2.3.4.1.c), the opportunity to consider these types of consents is only available when the dwelling is habitable (as per the PPS definition of residence surplus to a farming operation) and when the new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services. While there are no concerns with the policy to minimize the loss of agricultural land, the policy should be revised to indicate that the lot size for the surplus dwelling arising out of farm consolidation is to be kept to a minimum size regardless of whether the subject area is comprised of agricultural land.</p>	OMAFRA	PPS 2.3.4.1 c) PPS 2.3.4.2 PPS definitions “residence surplus to a farming operation” and “legal or technical reasons”	<p>Policy 9.1.3(3) addresses lot line adjustments, whereas policy 9.1.3(5) discusses utilizing lot line adjustments to sever surplus residential buildings resulting from farm consolidation. It is recommended that policies related to lot line adjustments and policies related to consents involving residences surplus to a farming operation be dealt with separately. As legal or technical reasons are not defined in the draft Official Plan, revisions to policy 9.1.3(3) are required to clarify that boundary adjustments are to be minor in nature and that no new lot be created, as described in the PPS definition for “legal and technical reasons”.</p> <p>With respect to policy 9.1.3(5), it is requested for revisions to be made to clarify that the subject dwelling be habitable and that the associated lot be kept to a minimum size needed to accommodate the use and associated sewage and water services.</p>
24.	9.2.3(3)	<p>This policy provides criteria to be met when considering residential lot creation in the rural area that would be serviced on private water and wastewater infrastructure. However, the reference to the requirements of PPS 1.6.6.6 appears to have been omitted.</p> <p>PPS 1.6.6.6 outlines that lot creation may only be permitted by approval authorities only if there is confirmation of sufficient reserve sewage system and reserve water system capacity within municipal sewage services and municipal water services</p>	MECP	PPS 1.6.6.6	<p>It is recommended to insert a new bullet point 9.2.3(3)(v) addressing the requirement of confirmation of capacity at municipal treatment facilities when considering rural lot creation. An example may be as follows:</p> <p>“(v) Confirmation of sufficient reserve sewage system capacity and/or reserve water system capacity within municipal water and/or sewage services, or private communal water and/or sewage services.”</p>

		or private communal sewage services and private communal water services. The determination of sufficient reserve capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.			
25.	10.1.1(7)	<p>PPS 3.1.2 d) states that development and site alteration is not permitted within a floodway. However, as written, this policy outright indicates that site alteration <i>is</i> permitted subject to the approval of the Conservation Authority. It is recognized there may be circumstances where site alteration is necessary, and therefore providing some flexibility, in appropriate circumstances, may be warranted.</p> <p>The policy could be interpreted to mean that the issuance of a Conservation Authority permit under the <i>Conservation Authorities Act</i> is a test of <i>Planning Act</i> approval. The principle of development is established first through the <i>Planning Act</i> and is not dependent on other legislation. A <i>Conservation Authorities Act</i> approval should not automatically create an approval under the Official Plan or PPS.</p>	CAs	PPS 3.1.2	It is recommended to replace the word “ <i>is</i> ” with “ <i>may be</i> ”.
26.	10.1.4(2)	<p>This policy states that applications for site plan, plan of subdivision, condominium and consent will be examined by the City utilizing criteria set in subsections (a)-(c) that evaluate suitability of soils, potential for adverse environmental effects, hazards, and public safety during emergencies.</p> <p>In order to ensure that matters of provincial interest are protected, it is recommended for the set of criteria in this policy to apply to the review of all <i>Planning Act</i> applications.</p>	CAs	PPS 3.1 PPS definition “development” ss. 3(5) of the Planning Act	<p>It is recommended for the first paragraph of this policy to be revised as follows:</p> <p>2) Notwithstanding Policy 1 above, for uses other than those listed in Policy 1, the City shall review applications for site plan, plan of subdivision, condominium and consent, all <i>Planning Act</i> applications using the following criteria:</p>
27.	10.1.4(2)(a)	This policy suggests that development can proceed if the proposed site is suitable, or can be made suitable for development to occur, when considering development proposals on unstable soils or bedrock. While this may be true in certain instances, it should be noted that PPS 3.1.1c) is clear that efforts should be made to direct development away	CAs	PPS 3.1.1c) PPS definition of “hazardous sites”	<p>It is recommended for a new policy 10.1.4(1) to be inserted in the draft Official Plan to read as follows:</p> <p>“1) <i>Development shall generally be directed to areas outside of unstable soils or bedrock.</i>”</p>

		from such areas, which does not appear to be emphasized in the draft Official Plan.			And for the subsequent policies to be renumbered accordingly.
28.	10.1.5(1)	This policy outlines that development shall not be permitted within hazardous forest types for wildland fire unless the development conforms to Provincial wildland fire assessment and mitigation standards. Although this policy is accurate, it should be noted that the first emphasis of PPS 3.1.8 is for development to be generally directed away from such areas.	MNRF	PPS 3.1.8	It is recommended for policy 10.1.5(1) to be revised as follows: 1) <i>Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.</i> Development <i>may however</i> shall not be permitted within hazardous forest types for wildland fire, <i>if it is demonstrated</i> unless that <i>the proposed</i> development conforms to Provincial wildland fire assessment and mitigation standards.
29.	10.1.7	The draft Official Plan does not appear to have policies to address the use of land on closed landfills. PPS 3.2.2 indicates that <i>“sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.”</i>	MECP	PPS 3.2.2	It is recommended to insert a new subsection 9) in this policy section to read as follows: <i>“9) The Environmental Protection Act requires that no use be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be used unless the approval of the Minister of the Environment, Conservation, and Parks (or its successor) for the proposed use has been given.”</i>
30.	10.1.9	This policy addresses human-made hazards, however it appears that abandoned oil and gas (petroleum) hazards have not been addressed as part of the policy. These hazards are identified as human-made hazards in PPS 3.2.1 whereby it is outlined that development on, abutting, or adjacent to such hazards may only be permitted if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.	MNRF	PPS 3.2.1	It is recommended that the title for Section 10.1.9 be revised as follows: “10.9 Abandoned mineral and mineral aggregate mining operations, and abandoned petroleum resource operations” It is also recommended to insert a new subsection 10.1.9(4) to read as follows: <i>“4) No development or site alteration should occur within a minimum 75 metres of an abandoned well.”</i>

31.	11.4	<p>This section describes the City’s public notification and consultation procedures. Section 1.2.2 of the PPS provides direction for planning authorities to engage with Indigenous communities and coordinate on land use planning matters. It is noted that the draft Official Plan does not include information about consulting with Indigenous communities when projects may have an adverse impact on Indigenous and treaty rights, thus triggering the duty to consult.</p>	MMAH	PPS 1.2.2	<p>It is recommended for a new subsection 11.4(4) be inserted in this policy section to address consultation with Indigenous communities.</p> <p>As noted in MMAH’s covering letter to these comments, the City should engage with relevant Indigenous communities which will help inform the development of appropriate policies with respect to Indigenous consultation.</p>
32.	Schedule C13	<ol style="list-style-type: none"> 1. Only unstable slopes appear to be depicted under environmental constraints. The Ministry of Energy, Northern Development and Mines has released a map identifying areas of karst potential across Southern Ontario. As noted in a previous comment, these hazardous sites of known and potential unstable bedrock are not acknowledged in the draft Official Plan. A link to the document may be viewed at http://www.geologyontario.mndm.gov.on.ca/mndmfiles/pub/data/imaging/GRS005/karst-map.pdf 2. The schedules of the draft Official Plan do not identify where the flooding hazard policies are applicable. It is understood that the details of the flood plain boundaries will be included within the Zoning By-law as an overlay, however it would be beneficial to identify at a broad scale where the policies apply within the City, including any areas utilizing the two-zone flood concept. 3. While the draft Official Plan contains appropriate policies related to hazardous forest types for wildland fire, there does not appear to be any schedules depicting areas of potential wildland fire mapping which is available. MNRF has produced generalized wildland fire hazard mapping to support municipal planning authorities. This mapping is a starting point for a more detailed wildland fire assessment. The data set, “Fire – Potential Hazardous Forest Types for 	ENDM CAs MNRF	PPS 3.1.1 c) PPS 3.1.2 d) PPS 3.1.8	<ol style="list-style-type: none"> 1. It is recommended to revise policy 10.1.4(1) to indicate that the City will also utilize the provincial karst mapping as a resource in considering development applications, and to revise Schedule C13 to identify areas susceptible to karst formation based on available and current provincial data. 2. It is recommended for Schedule C13 to identify areas of flood potential and hazard so that it is clear where the policies of the Official Plan associated with such areas apply. 3. It is recommended for Schedule C13 to be revised to depict areas susceptible to wildland fire in accordance with data produced by the MNRF. Alternatively, the City may wish to depict this information on a new Schedule C14.

		Wildland Fire” is available through the Ontario Geospatial Data Exchange (OGDE) or by using Ontario GeoHub. The City is encouraged to include available mapping of hazardous forest types in the Official Plan.			
33.	Schedule C17	<p>The City should be satisfied that any lands proposed to be included in the expanded urban boundary are supported in the context of all relevant policies of the PPS 2020, which may include coordinating land use planning and infrastructure decisions, as well as ensuring that development occurs in a manner that protects public health and safety, as well as the environment.</p> <p>For instance, the location of the “Tewin Lands” does not appear to align with the City’s goal of a 15-minute community or being within 2.5 linear kilometre distance (1.9km radius) of any rapid transit. It is noted that these lands are distant from any LRT stations invested by the City and Province. Additionally, due to the proximity of the “Tewin Lands” to Highway 417, future pressures on the highway (including for new interchanges) may result to accommodate the growth projected in the area. The City must be satisfied that the development is supported by the necessary infrastructure and are an efficient and cost-effective use of existing or planned infrastructure.</p> <p>Further, certain lands that the City is proposing to add to the urban boundary have the potential presence of natural hazards (e.g. flooding). The City should evaluate how these hazards may affect the City’s plans to accommodate forecasted growth in these areas, as well as ensuring that any development and associated impacts of development (e.g., stormwater management) does not exacerbate existing hazards that may pose threats to public health and safety, or the environment.</p>	MTO MMAH CAs	PPS 1.1.3.8 PPS 3.1.1 PPS 3.1.2	Upon consideration of which lands are to be added to the urban boundary to accommodate projected needs, the City should be satisfied that the most suitable lands have been selected when evaluated against the policies expressed in the PPS 2020.