

Out With the Old, in With the New Provincial Policy Statement, 2024

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The Ontario Government has released Provincial Policy Statement, 2024 ("**PPS, 2024**"), which will come into effect on October 20, 2024. PPS, 2024 replaces Provincial Policy Statement, 2020 ("**PPS, 2020**") and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the "**Growth Plan**").

Subject to any transition provisions, which the Province is still consulting on, PPS, 2024 applies to all decisions in respect of the exercise of any authority that effects a planning matter made on or after October 20, 2024. Like PPS, 2020, the test for PPS, 2024 remains "shall be consistent with."

The changes in PPS, 2024 shows a focus on building homes and associated infrastructure and strategic growth, in line with the Province's goal to meet 1.5 million homes built by 2031.

Below is our review of the notable changes in PPS, 2024. Please consult PPS 2024 for a detailed list of the policies.

2.1 Planning for People and Homes

Planning authorities shall now base their population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance. Notwithstanding this, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purpose of land use planning.

At the time of creating their new official plan and for each official plan update thereafter, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years but not more than 30 years. Planning for infrastructure, public service facilities, strategic growth areas, and employment areas may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing (the "**Minister**") has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. However, at the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

2.2 Housing

PPS, 2024 requires planning authorities to provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area. It is of note that PPS, 2024 removed reference to market based housing that was previously in the PPS. They are to do this by establishing and implementing minimum targets for the provision of

housing that is affordable to low and moderate income households; permitting and facilitating all housing options and all types of residential intensification; promoting densities for new housing; and requiring transit-supportive development and prioritizing intensification.

2.3 Settlement Areas and Settlement Area Boundary Expansions

One of the more fundamental changes to the Provincial policy regime are the changes to Settlement Area Boundary Expansions.

Settlement areas continue to be the focus of growth and development. Within settlement areas, growth should be focused on strategic growth areas, including major transition station areas. Planning authorities are encouraged to establish density targets for designated growth areas, based on local conditions, with large and fast- growing municipalities being encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas. Large and fast-growing municipalities are identified in Schedule 1 to PPS, 2024 and includes 29 municipalities.

The identification of a new settlement area or the expansion of a settlement area boundary are no longer restricted to occurring as part of a comprehensive review. Rather they can now occur at any time provided that consideration is given to:

- the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
- whether there is sufficient capacity in existing or planned infrastructure and public service facilities;
- whether applicable lands comprise specialty crop areas;
- the evaluation of alternative locations which avoid prime agricultural areas or reasonable alternatives where avoidance is not possible;
- whether new or expanded settlement area complies with the minimum distance separation formulae;
- whether impacts on the agricultural system are avoided, or minimized and mitigated where avoidance is not possible; and
- whether the new or expanded settlement area provides for the phased progression of urban development.

2.4 Strategic Growth Areas

While there is a difference in language, the concepts pertaining to Strategic Growth Areas are carried forward from the Growth Plan into PPS, 2024, including the minimum density targets for Major Transit Station Areas ("MTSA").

2.8 Employment

In order to promote economic development and competitiveness, PPS, 2024 adds an encouragement of intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.

PPS, 2024 states that planning authorities may remove lands from employment areas only where it has been demonstrated that there is an identified need for the removal and the land is not required for employment area uses over the long term; the proposed uses would not negatively impact the overall viability of the employment area; existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

3.4 Airports, Rail and Marine Facilities

One notable change in this section is the policy has been revised from discouraging land uses which may cause a potential aviation safety hazard to now prohibiting those uses.

3.5 Land Use Compatibility

Where adverse effects from major facilities and sensitive land uses are not avoidable, planning and development of proposed adjacent sensitive land uses is permitted if potential adverse effects to the proposed sensitive lands are minimized and mitigated and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated. There is no longer a requirement to demonstrate that alternative locations for the proposed use have been evaluated and there is no reasonable alternative.

3.6 Sewage, Water and Stormwater

Planning for sewage and water services now has an additional consideration of opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply.

4.3 Agriculture

Planning authorities are now required to use an agricultural system approach to maintain a geographically continuous agricultural land base and support and foster long-term economic prosperity and product capacity for agri-food network.

A principal dwelling associated with an agricultural operation is now permitted in prime agricultural areas as an agricultural use. Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential uses are permitted provided that where two additional residential units are proposed, at least one of these additional residential units is located within or attached to the principal dwelling and the other additional dwelling is subject to criteria set out in PPS, 2024. These two additional units are in addition to farm worker housing.

4.6 Cultural Heritage and Archaeology

Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved. Previously, the conservation requirements applied to significant built heritage resources and significant cultural heritage landscapes.

6.1 Implementation and Interpretation

Planning authorities shall keep their zoning and development permit by-laws up to date with their official plans and PPS, 2024 by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development. As carried forward from the Growth Plan, where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with PPS, 2024 or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with PPS, 2024.

Strategic growth areas and designated growth areas are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.

6.2 Coordination

Planning authorities are now required to undertake early engagements with indigenous communities. They are also required to collaborate with publicly-assisted post-secondary institutions to facilitate early and integrated planning for student housing, including off-campus housing. Planning authorities and school boards are to collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.

Defined Terms

PPS, 2024 included a number of newly defined terms including *additional needs housing; agricultural impact assessment; compact built form; complete communities; energy storage system; frequent transit; higher order transit; large and fast-growing municipalities; low impact development; major transit station area; major trip generators; natural heritage system; residence surplus to an agricultural operation; strategic growth areas; transit service integration; urban agriculture; watershed planning; water resource systems; and wave effects*. We also note that PPS, 2024 modifies some of the defined terms that existed in PPS, 2020.

A complete copy of PPS, 2024 can be found [here](#).

If you have any questions about PPS, 2024 or any other land use planning matter, please do not hesitate to contact us.

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The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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