An Introduction to the
Provincial Policy Statement, 2014:
Northern Ontario

Draft for Discussion – February 2014
How to Provide your Input

The Government of Ontario is releasing this document in draft for discussion purposes.

We want to ensure it delivers the appropriate amount of assistance to decision-makers and other participants in land use planning in understanding the policies of the Provincial Policy Statement, 2014. We want it to become a valuable resource to support land use planning in northern Ontario.

A separate document that introduces the Provincial Policy Statement, 2014 in the context of rural Ontario is also available for discussion. It can be downloaded at ontario.ca/PPS.

You are invited to share your comments and ideas by **April 25, 2014**.

Some **questions to consider** while reviewing the document:
1. What parts of the document do you find most helpful?
2. How can the document be improved?
3. Do you have any other comments about the document in general?

To submit comments, you can:

- **Send us an email:** PPSreview@ontario.ca
- **Submit comments electronically** by completing an online form available at ontario.ca/PPS
- **Write to us:**
  Provincial Policy Statement Review
  Ministry of Municipal Affairs and Housing
  Provincial Planning Policy Branch
  777 Bay Street, 13th Floor
  Toronto, ON M5G 2E5
- **Call us:**
  416-585-6014 or 1-877-711-8208

**Thank you for your comments – we value your input.**
The Ministry of Municipal Affairs and Housing has prepared this document, including the scenarios set out in the appendix, to assist participants in the land use planning process to understand the Provincial Policy Statement, 2014. As this document deals in summarized fashion with complex matters and reflects legislation, policies and practices that are subject to change, it should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter. This document should not be construed as legal advice and the user is solely responsible for any use or the application of this document. Although this document has been carefully prepared, the Ministry does not accept any legal responsibility for the contents of this document or for any consequences, including direct or indirect liability, arising from its use.
Purpose

This document is intended to assist readers in understanding some of the policies in the Provincial Policy Statement, 2014 that affect matters under the Planning Act in Northern Ontario, in particular those policies which have been added or revised since the Provincial Policy Statement, 2005. It is also designed to address some misconceptions about the Provincial Policy Statement and its policies.

The Provincial Policy Statement, 2014 broadly applies to all of Ontario and this document may be helpful when read together with the policies. Some policies and definitions of the Provincial Policy Statement, 2014 are referenced in this document to help the user better understand the application of the policies.

Context

The Provincial Policy Statement, 2014 has been revised to better reflect, among other things, the needs and unique circumstances of Northern Ontario, many areas of which are rural. This document will provide an understanding of these changes and how the Provincial Policy Statement, 2014 provides some flexibility for land use planning. Some of the Provincial Policy Statement, 2014 policies noted in this document that reflect the unique circumstances of Northern Ontario may also be relevant to those portions of southern Ontario in the Canadian Shield.

The distinctive geography and development pressures of Northern Ontario influence how it is governed and planned. As a result, some of the steps involved in land use planning in Northern Ontario differ from those in the rest of the province. Some of the factors that make Northern Ontario different from the rest of the province include:

1. **The municipal structure for portions of the north are not the same as in the rest of Ontario**
   The north consists of territorial districts that have a range of municipal governments. All municipalities are “single-tier”, in comparison to the “upper-tier” and “lower-tier” structure of much of southern Ontario. Large portions of the districts have no municipal organization and are referred to as territory without municipal organization. These areas are commonly referred to as “unorganized” or “unincorporated” areas. While there are a number of local service delivery organizations in territory without municipal organization, including local roads boards, local services boards and planning boards that provide local services and/or local planning controls to specific geographic areas, there are large areas where these services may not be available.

   Specific policies under “Territories without Municipal Organization” (policy 1.1.6) in the Provincial Policy Statement, 2014 provide direction on where and how development may or may not occur in these areas of Northern Ontario.
2. **Distances between communities can make public participation in the planning process difficult**

In contrast to its vast land base, which covers 90 per cent of the province, about six per cent of the province’s population lives in Northern Ontario. While over half of northerners live in the five biggest cities, many live in rural communities.

3. **Much of Northern Ontario is Crown land**

Crown land is one of Ontario’s greatest natural assets. It makes up about 87 per cent or 937,000 square kilometres of the province’s land mass and more than 95 per cent of the land base of Northern Ontario. In comparison, there is very little Crown land in southern Ontario.

Land use planning on Crown land is generally directed under section 12 of the Public Lands Act, and in the Far North under the Far North Act, 2010. In these cases, it is not subject to the Planning Act or the Provincial Policy Statement, 2014 (for further information see the Guide for Crown Land Use Planning). In the case of Crown land use planning carried out under the authority of the Public Lands Act, the Provincial Policy Statement, 2014 is a reflection of provincial interests that the Ministry of Natural Resources considers in carrying out its work.

4. **Northern Ontario includes large areas of reserve lands, and traditional territories of Aboriginal communities**

Although reserve lands are constitutionally outside of provincial land use planning jurisdiction, Aboriginal communities may have an interest in municipal land use planning given that their economies and cultures are dependent on traditional lands and a healthy environment.
Local planning decisions by municipalities are key to the implementation of the Provincial Policy Statement. These decisions, which determine the future of communities, include the preparation of planning documents, such as:

- an official plan, which sets out the municipality’s general planning goals and policies to guide future land use; and
- zoning by-laws, which set the rules and regulations that control development as it occurs.

In addition to municipalities, land use planning in many northern municipalities and in territory without municipal organization can be undertaken by:

- the Minister of Municipal Affairs and Housing, who establishes planning boards and provides for zoning controls in some territory without municipal organization; and
- planning boards, which coordinate land use planning activities under the Planning Act, and can adopt official plans and pass zoning by-laws in respect of territory without municipal organization within their jurisdiction; and
- the Ministry of Natural Resources, which is responsible for land use planning on, and management of, Crown lands under the Public Lands Act, as well as having joint responsibility with First Nations communities for community-based land use planning under the Far North Act, 2010.

As a result, the approval authority for planning decisions may vary from area to area.
What is the role of the Minister of Municipal Affairs and Housing?

In Northern Ontario, the Minister has authority under the Planning Act to:

- protect provincial interests through input on, and review and approval of, official plans;
- approve official plan amendments, or exempt official plan amendments from Minister’s approval by Minister’s regulation;
- approve development applications, such as plans of subdivision and consent applications, where the Minister has retained that authority (except in those areas where approval is assigned or delegated to municipalities or planning boards by Minister’s regulation);
- enact Minister’s zoning orders, mainly in territory without municipal organization or in exceptional circumstances;
- define and establish planning areas and planning boards; and
- deem Minister’s zoning orders in territory without municipal organization to be the zoning by-laws of the planning boards where planning boards exist.

What does a planning board do?

Planning boards are created under the Planning Act by the Minister of Municipal Affairs and Housing, as are the associated “planning areas”. Planning boards deliver a variety of land use planning services within their planning areas such as preparation of an official plan, zoning administration and land division. Planning boards were originally set up to control development occurring outside of municipal boundaries, promote municipal service sharing and comprehensive planning for the area, provide a vehicle for local decision making and provide a mechanism for service delivery in the unincorporated townships.

Planning areas can include:

- a combination of one or more municipalities and territory without municipal organization (e.g., Hearst Planning Board);
- two or more municipalities (e.g., Central Timiskaming Planning Board); or
- only territories without municipal organization (e.g., Sault Ste. Marie North Planning Board).

Planning boards comprise representatives from member municipalities appointed by the local municipal councils and members from territory without municipal organization appointed by the Minister of Municipal Affairs and Housing. In addition to preparing official plans and zoning by-laws, planning boards also provide advice and assistance to member municipal councils. If there is no established municipal structure, planning boards assume the planning role of local council.

Under the Planning Act, a planning board is authorized to prepare an official plan for its planning area. A planning board official plan can cover all or part of its planning area, including territories without municipal organization. Alternatively, individual member municipalities may establish their own official plans. Area-wide official plan policies reflect the interests of the entire planning area and coordinate
overall future development and growth. Planning boards also have the power to pass and enforce zoning by-laws for areas without municipal organization within the planning area.

Where the authority is delegated by the Minister, planning boards carry out land use planning decisions. Commonly delegated authorities include subdivision, condominium, and consent granting.

**What is the role of the Ministry of Natural Resources?**

The Ministry of Natural Resources is responsible for planning and managing Crown land in Ontario. Its activities are related to the use of Crown land, water, forest, fish, wildlife and mineral aggregates as well as outdoor recreation. The Ministry of Northern Development and Mines is responsible for managing mineral resources other than aggregates.

The Ministry of Natural Resources develops plans to provide land use direction on Crown land. As part of its land use planning process, the ministry consults with affected municipal councils and planning boards and takes into consideration existing official plans and policies. Ministry planning documents, although not “official plans” under the *Planning Act*, are the primary sources of land use direction and information regarding development and protection of Ontario’s natural resources on Crown lands. Land use direction on Crown lands is provided through the Crown Land Use Policy Atlas, which was developed and is maintained by the Ministry of Natural Resources. The Atlas is an online tool that allows the public to access land use information, including permitted uses, for Crown lands in Ontario. The ministry is currently expanding the Atlas to include Crown lands in southern Ontario, and community-based land use plans developed under the *Far North Act, 2010*.

In the Far North of Ontario, Community Based Land Use Plans are developed by First Nations working jointly with the Ministry of Natural Resources under the authority of the *Far North Act, 2010*. On Crown land elsewhere in Ontario, the Ministry of Natural Resources undertakes planning under the authority of the *Public Lands Act*. 
Additional Resources

Citizens’ Guide to Land Use Planning #7 – Northern Ontario
Learn more about land use planning in Northern Ontario.

www.mah.gov.on.ca/Page1754.aspx

Guide for Crown Land Use Planning
Detailed guidance for Ministry of Natural Resources staff and others involved in Crown land use planning. The Guide applies to all Crown land use planning carried out under the authority of the Public Lands Act, south of the Far North planning area.


Crown Land Use Policy Atlas
An online tool that allows the public to access land use information, including permitted uses, for Crown lands in Ontario.

The Provincial Policy Statement

The Provincial Policy Statement, 2014 provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. It recognizes the complex interrelationships between strong communities, a clean and healthy environment and a strong economy, and provides policy direction to achieve an appropriate balance between these interests.

The Provincial Policy Statement, 2014 is based on sound planning principles and applies to matters under the Planning Act in communities throughout Ontario. It supports an effective and efficient land use planning system in Ontario. While some communities in Northern Ontario are growing, others face different challenges, such as diversifying their economies or maintaining their population. While the challenges may differ, the principles of strong communities, a clean and healthy environment, and a strong economy are important to all communities throughout Ontario.

The policies of the Provincial Policy Statement, 2014 were designed to respect the differences that exist across the province. Municipalities play a key role in implementing them through their official plans and zoning by-laws and their decisions on development applications. Local conditions must be taken into account when applying the policies and when developing official plan policies. For example, policies encouraging public transit will not be applicable to many communities in Northern Ontario.

The Provincial Policy Statement, 2014 also recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their rights and interests. The Provincial Policy Statement, 2014 is to be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the Constitution Act, 1982.

In the case of Crown land use planning carried out under the authority of the Public Lands Act, the Provincial Policy Statement, 2014 is a reflection of provincial interests that the Ministry of Natural Resources considers in carrying out its work. In the Far North, provincial and First Nations interests will be reflected in the Far North Land Use Strategy.
Applying the Provincial Policy Statement

The Provincial Policy Statement, 2014 is designed to be implemented in a municipal planning context, for instance:

- **The focus on desired outcomes** – The Provincial Policy Statement, 2014 recognizes that local circumstances vary. It anticipates there will be different approaches for applying the policies and achieving the desired outcomes. The policies primarily focus on desired outcomes and may not always prescribe the process that must be followed. This provides planning authorities with the flexibility to apply the policies in a way that address the needs of their particular community.

- **The language of the specific policies** – Some policies simply encourage an objective through enabling or supportive language, such as “should,” “promote” and “encourage”. For example, “recreational, tourism and other economic opportunities should be promoted” in rural lands. Other policies are more directive, and set out positive directions such as “settlement areas shall be the focus of growth” or limitations and prohibitions, such as “development and site alteration shall not be permitted.” The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

- **The geographic scale of the policies** – The policies contain a range of geographic scales. Not all policies may be applicable to every site, feature or area. Some of the policies refer to specific areas or features, such as a mine hazard, or the area around an airport. These policies are only applicable where these areas or features exist. Other policies refer to planning objectives that need to be considered in the context of a systems-based approach (e.g., watersheds or prime agricultural areas), the municipality as a whole, or a specific area within the municipality, rather than in the context of a specific site or specific development proposal (e.g., water and sewage servicing, range and mix of housing types and densities).

- **The minimum standards provided by the policies** – The Provincial Policy Statement, 2014 is not intended to prevent planning authorities from going beyond the minimum standards established in the policies. Planning authorities are encouraged to build upon these minimum standards to address matters that are important to their community when developing official plan policies and when making decisions on planning matters, unless doing so would conflict with any other policy of the Provincial Policy Statement, 2014.

The Provincial Policy Statement, 2014 provides an implementation framework that recognizes the diversity of communities across Ontario.
What does “shall be consistent” with mean?

Section 3 of the *Planning Act* requires that all decisions and advice affecting land use planning matters “shall be consistent with” the Provincial Policy Statement. The “shall be consistent with” standard is not defined in the *Planning Act* or in the Provincial Policy Statement. Normally, words that are not defined in legislation are given their common or ordinary meaning. This is a general principle that applies to all legislation, policies and regulations.

Dictionary meanings are useful for the purpose of establishing the meaning of a term. As an example, the Webster Dictionary defines the term “consistent” to mean:

- marked by agreement and concord;
- coexisting and showing no noteworthy opposing, conflicting or contradictory qualities or trends;
- in harmony with;
- compatible with;
- constant to the same principles as; and
- not contradictory with.

The “shall be consistent with” standard is a strong implementation standard that focuses on achieving policy outcomes. At the same time, it retains some flexibility to apply the Provincial Policy Statement, 2014 in practical and innovative ways to a variety of local circumstances.

Additional Resources

**Applying the Provincial Policy Statement InfoSheet**

This infosheet provides highlights on applying the Provincial Policy Statement.

[http://www.mah.gov.on.ca/Page5501.aspx](http://www.mah.gov.on.ca/Page5501.aspx)
### Policies the Guide Land Use Planning under the *Planning Act*

The Provincial Policy Statement, 2014 has four major sections:

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The following pages provide an outline of the concepts, rationale and principles of some of the key policy directions in each of these sections to assist in understanding the Provincial Policy Statement, 2014 as it relates to decisions under the *Planning Act* in Northern Ontario.

Italicized terms in policies have their specific meanings set out in the Definitions section (Section 6.0).
Settlement Areas

Policies 1.1.3 and 1.1.4

Northern communities range from large cities to small towns and villages to rural townships, some of which have no identified settlement area. These cities, and many of these small towns and villages, have large public investments in infrastructure and public services that may support not only their own residents and businesses, but a larger surrounding area that may include adjacent communities. Meanwhile, in rural townships, development is often in the form of small clusters of residential lots on individual private sewage and water services.

One of the key goals of the Provincial Policy Statement, 2014 is the effective use of land and resources, with development primarily focussed in settlement areas (policies 1.1.3.1 and 1.1.4.2). This ensures the maximal use of existing public infrastructure, reduced costs for municipalities providing services to a vast rural area, and minimal negative impacts on the environment. The effective use of land and resources includes promoting opportunities for redevelopment and intensification, where appropriate, e.g., where there are opportunities and appropriate levels of servicing.

The Provincial Policy Statement, 2014 recognizes that development will not happen in the same way or at the same rate in all parts of Ontario. At the same time, these basic planning policies are relevant to all areas of Ontario and help maximize existing public expenditures in infrastructure and services.

What’s new in the Provincial Policy Statement, 2014?

Regional diversity continues to shape the implementation of provincial priorities. As a result the Provincial Policy Statement, 2014 clarifies that:

- municipalities determine appropriate locations for intensification (policy 1.1.3.3);
- intensification targets are set by municipalities based on local conditions (unless set by provincial plan) (policy 1.1.3.5); and
- the level of detail required for a comprehensive review should correspond with complexity and scale of proposal (definition of “comprehensive review”).

Key PPS Definition

Settlement areas: 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 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.
**Ability to Reflect Local Circumstances**

Municipalities are key to the implementation of the Provincial Policy Statement, 2014 through their official plans and zoning by-laws, and their decisions on development applications. The Provincial Policy Statement, 2014 is designed to for easier implementation in a local planning context. The following sections provide examples of some policy directions that provide flexibility for Northern Ontario communities to reflect their local circumstances.

**Housing Types (policy 1.4)**

The principle of providing a mix and range of housing helps communities ensure that the housing needs of all Ontarians are met. The Provincial Policy Statement, 2014 requires that planning authorities provide for the mix and range of housing types necessary to meet current and future needs (policy 1.4.3). In larger municipalities, this can be accomplished by permitting several different types of housing, including semi-detached dwellings, second units and more intensified development. In rural municipalities opportunities to provide a range and mix of housing types may be more limited due to servicing constraints and development pressures. While the provision of a mix and range of housing types appropriate to a community’s needs may differ, each municipality must still ensure it has housing choices that provide for the needs and incomes of its current and future residents.

The Provincial Policy Statement, 2014 is designed so that when implemented, planning documents will create an environment in which the desired outcomes can be met (i.e., they will create the opportunity for a mix and range of housing types to be built). The government recognizes that land use planning alone cannot ensure that housing will actually be built, since this is also determined by market conditions and other factors.
**Did You Know?**

Following the release of the Long-Term Affordable Housing Strategy in 2010, the *Housing Services Act, 2011* required that the province’s 47 Service Managers, including District Social Services Administration Boards, prepare local housing and homelessness plans by January 1, 2014. The *Housing Services Act, 2011* requires that local plans reflect the provincial interests listed in the Act and further outlined in the Ontario Housing Policy Statement, have a ten-year planning horizon and be reviewed at least every five years.

The Ontario Housing Policy Statement was issued for the purpose of guiding Service Managers in the preparation of their housing and homelessness plans on matters of provincial interest. For more information please visit [www.mah.gov.on.ca/AssetFactory.aspx?did=9262](http://www.mah.gov.on.ca/AssetFactory.aspx?did=9262).

**Intensification (policy 1.1.3)**

The principle of intensification helps support the efficient use of public investment in existing infrastructure such as roads, and municipal water and sewage infrastructure. Intensification can be achieved in a variety of forms in different communities. It is one way of bringing more people to certain areas of a community, such as a downtown area, main street or community centre, to further support a community’s socially vibrancy and economic sustainability.

The Provincial Policy Statement, 2014 requires planning authorities to identify appropriate locations and promote opportunities for intensification (policy 1.1.3.3), and establish minimum targets for intensification based on local conditions (policy 1.1.3.5). Municipalities across Ontario are promoting intensification in a variety of ways. In small rural communities, it could take the form of allowing development on an infill lot for housing on pockets of undeveloped land within settlement areas, or repurposing a vacant or underutilized building. The reuse of brownfield lands for new employment, mixed-use and residential developments in many older municipalities is yet another example of intensification.

These are the most visible examples of intensification. Municipalities are also permitting second units (e.g., basement apartments) in single-detached, semi-detached and row houses, and accommodating small-scale infill projects (e.g., townhouses or small-lot detached homes). These forms of intensification show that intensification can be accommodated in large urban centres, small towns, and rural communities.

When identifying appropriate locations for intensification, planning authorities should take into account the most efficient and sustainable use of existing infrastructure and consider public safety with respect to

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**Key PPS Definition**

**Intensification:** 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.
to natural hazards, as well as the compatibility of new development within the context and character of the existing community.

**Did You Know?**

The Provincial Policy Statement, 2014 identifies the appropriate time horizon for land use planning as up to 20 years (policy 1.1.2). This means that municipalities can designate a supply of land to accommodate anticipated development for a time period of up to 20 years. This includes development within both settlement areas and rural areas.

Within settlement areas, municipalities should first look at meeting land requirements through opportunities for intensification, re-development and infill, followed by consideration of “greenfield” land, if needed. If a settlement area boundary expansion is needed to meet land requirements, it needs to be supported through a comprehensive review process.

**Settlement Area Expansions (policy 1.1.3.8)**

The principle of using land already within the settlement areas to the fullest extent possible before expanding outwards helps protect resources and ensures effective and sustainable use of infrastructure. The Provincial Policy Statement, 2014 provides this direction while recognizing that settlement area boundary expansions—which are based on an evaluation through a comprehensive review process—may still be required.

It is important to examine factors such as the need for the expansion, capacity of planned or available infrastructure, alternative directions for growth that avoid prime agricultural areas or impact lower priority agricultural lands, and opportunities for redevelopment and intensification to determine if a proposed expansion is in the public interest. This is why the Provincial Policy Statement, 2014 promotes local planning by linking boundary expansions to a comprehensive review that considers these factors (policy 1.1.3.8). It is also important to coordinate with other jurisdictions, agencies and boards and with Aboriginal communities (policies 1.2.1 and 1.2.2).

Rural settlement areas will often have smaller or less complex proposals for settlement area boundary expansions compared to urban settlement areas. The Provincial Policy Statement, 2014 recognizes that the studies needed to support small settlement area boundary expansions may be less complex than those required for large expansions, but the same factors as noted above apply with respect to a comprehensive review.

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**Key PPS Definition**

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications / telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.
Overall, it is important for planning authorities to consider the full range of factors that contribute to creating healthy, sustainable communities prior to establishing the need for a settlement area boundary expansion.

**Key PPS Definition**

**Comprehensive review:** a study carried out for the identification of settlement areas and the expansion of settlement area boundaries, for an official plan review which is initiated by a planning authority, or for an official plan amendment which is initiated or adopted by a planning authority, which:

1. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;
3. is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
6. considers cross-jurisdictional issues.

In undertaking a comprehensive review, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.
**PPS Fact or Fiction?:** The Provincial Policy Statement, 2014 does not allow development to occur without a comprehensive review.  **FICTION**

**In Fact:** A comprehensive review is required in three situations:
- the identification of new settlement areas and the expansion of settlement area boundaries;
- the conversion of lands within employment areas to non-employment uses; and
- within territory without municipal organization adjacent to, or surrounding, municipalities and where the development is not related to the management or use of resources, or is not a resource-based recreational use.

If a proposed development does not fit one of these three situations a comprehensive review is not required.

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**Additional Resources**

- **Municipal Tools for Affordable Housing Handbook**
  This handbook identifies a range of land-use planning and financial tools that municipalities can use to support the development of affordable housing options within their communities.
  

- **Planning for Intensification InfoSheet**
  This InfoSheet provides an overview of key Planning Act tools that municipalities can use to facilitate and direct land use intensification.
  
  [www.mah.gov.on.ca/Page6853.aspx](http://www.mah.gov.on.ca/Page6853.aspx)

- **Comprehensive Review InfoSheet**
  This InfoSheet helps participants in the land-use planning process understand the comprehensive review policies of the Provincial Policy Statement.
  
  [www.mah.gov.on.ca/Page4931.aspx](http://www.mah.gov.on.ca/Page4931.aspx)
Infrastructure: Sewage and Water

Policy 1.6.6

Providing municipal water and sewage infrastructure to new development helps ensure the protection of human health and the natural environment, in particular water quality and quantity. The Provincial Policy Statement, 2014 provides a hierarchy for planning sewage and water services, with strong preference given to municipal sewage services and municipal water services, particularly in settlement areas. However, the Provincial Policy Statement, 2014 recognizes that, where no municipal services are available, limited development that relies on private communal sewage and water services or individual on-site sewage and water services may be permitted, in appropriate circumstances.

What’s new in the Provincial Policy Statement, 2014?

The Provincial Policy Statement, 2014 has been clarified to permit infilling and minor rounding out of existing development in settlement areas on individual on-site sewer and water systems (i.e., septic tanks and wells) where full municipal or communal services do not exist, provided there are no associated negative impacts (policy 1.6.6.4).

PPS Fact or Fiction?: The Provincial Policy Statement, 2014 does not allow settlement areas without full municipal sewage and water services to have any growth or development. FICTION

In Fact: The Provincial Policy Statement, 2014 provides flexibility for planning authorities to allow some growth and economic development in settlement areas without full municipal or communal sewer and water services. In order to protect public health and the environment, proponents of development need to demonstrate that there will be no negative impacts associated with the provision of individual on-site services before the development can proceed.

The appropriate environmental studies that may need to be completed to demonstrate “no negative impacts” include, but are not limited to, hydrogeological assessments and water quality impact assessments, in accordance with provincial standards.

Related Tools

To assist in achieving growth management and environmental objectives, planning authorities, particularly those with existing municipal systems, are encouraged to plan for sewage and water services by preparing integrated, long term sewage and water master plans which link a community’s growth and development objectives with servicing considerations. These plans can be important tools in determining the most appropriate type of servicing for a particular community.
Rural Areas in Municipalities
Policies 1.1.4 and 1.1.5

Ontario’s rural communities vary in their population levels, natural features and areas, geographies and physical attributes, and economies. The fundamental principles of good land use planning that are set out in the Provincial Policy Statement, 2014 remain important for all rural municipalities across Ontario, including those in Northern Ontario.

What’s new in the Provincial Policy Statement, 2014?

The Provincial Policy Statement, 2014 includes revised policies to further recognize and support rural and Northern Ontario municipalities, including:

• a new policy section to support healthy, integrated and viable rural areas (policy 1.1.4);
• recognition of the diversity in rural Ontario’s communities and their importance to the provincial economy and overall quality of life (policy 1.1.4);
• enhanced policies that clarify the types of uses that may occur on rural lands (policy 1.1.5); and
• expanded support and economic opportunities for agricultural uses in rural areas (policy 1.1.5.8).

The Difference Between Rural Areas and Rural Lands

The Provincial Policy Statement, 2014 uses two different concepts to capture what is rural from a land use planning perspective. Both of these terms are defined in the definitions section:

1. **The rural areas** definition is broad and describes an integrated system of the various land use elements, outside of larger settlement areas, that form our rural areas. These include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas. This inclusive definition fits with what many people understand to be rural Ontario.

2. **The rural lands** definition is focused on the lands outside prime agricultural areas and settlement areas. It is a subset of the “rural areas” described above.
These concepts and their interrelated nature reflect much of the geography of Northern Ontario and are illustrated in Figure 1:

- **rural areas** include all land outside of urban settlement areas (shown in white);
- **rural lands** are areas found outside of rural settlement areas and prime agricultural areas (shown in beige); and
- natural heritage features and resource areas work like an overlay and can be found on rural lands, in settlement areas or in prime agricultural areas.

**Figure 1 – Rural Areas**
**Policy Highlights for Rural Areas in Municipalities (policy 1.1.4)**

The policies for rural areas identify overarching strategic actions that should be undertaken to support healthy, integrated and viable rural areas within municipalities. For example, planning authorities, including those in Northern Ontario, should:

- build upon rural character;
- leverage rural amenities and assets;
- protect natural features and areas;
- promote diversification of the economic base; and
- provide opportunities for sustainable and diversified tourism.

In rural areas, rural settlement areas shall be the focus of growth and development (policy 1.1.4.2). Rural settlement areas are to provide an appropriate range and mix of housing that takes into account the needs of current and future residents. Growth and development that is focussed on existing settlement areas helps to support the efficient use of infrastructure and services, which is a good land use planning practice.

The rural areas policies also recognize that not all municipalities have an identified settlement area (policy 1.1.4.4), which is the case for many Northern Ontario municipalities. The Provincial Policy Statement, 2014 allows appropriate growth and development to occur on rural lands even where a community does not have a settlement area.

The land uses in rural areas are subject to all other policy areas of the Provincial Policy Statement, 2014. For example, policies in Section 1.0 provide specific direction on permitted uses and land use planning criteria, such as settlement areas (policy 1.1.3), rural lands (policy 1.1.5) and infrastructure (policy 1.6). The relevant policies in Section 2.0, regarding the wise use and management of resources, also apply to these areas, such as prime agricultural areas (policy 2.3) and water (policy 2.2). The policies of Section 3.0, protecting public health and safety, also apply.

**PPS Fact or Fiction?:** If a municipality does not have a settlement area, the Provincial Policy Statement, 2014 does not allow it to have any growth or development. **FICTION**

**In Fact:** Although there is an emphasis on settlement areas as the focus for concentrated growth, the Provincial Policy Statement, 2014 provides flexibility to allow growth and development on rural lands. For example, developments related to the management or use of natural resources, resource-based recreational uses and limited amount of residential development may be appropriate and allowed. Official plans play a critical role in defining the types of uses that are allowed, as well as providing context for appropriate locations for development. Long-term infrastructure and servicing considerations should be considered so that planning and fiscal sustainability are considered together.
The need to effectively manage development on rural lands is an important issue for rural municipalities. Scattered areas of residential development outside rural settlement areas can cause significant problems, including servicing and environmental issues, and difficulty in providing residents with efficient and cost-effective access to services, such as education and medical services. Increasingly, the costs of dispersed development are creating fiscal challenges for municipalities. In contrast, more compact areas are yielding benefits such as more efficient use of infrastructure and lower maintenance costs, job opportunities closer to home and walkable communities.

Rural municipalities can take steps to avoid issues related to the costs of scattered development and ensure development has access to a range of services, such as directing residential development to rural settlement areas and lands serviced by public roads.

**Policy Highlights for Rural Lands in Municipalities (policy 1.1.5)**

The rural lands policies are focused on the lands outside both prime agricultural areas and rural settlement areas. On rural lands, certain development is allowed if it meets specific criteria, for example:

- it is appropriate to the level of infrastructure (policy 1.1.5.5); and
- it does not conflict with other policies of the Provincial Policy Statement (policy 1.1.5.1).

Planning authorities should also promote development that is compatible with the rural landscape and can be sustained by rural service levels (policy 1.1.5.4).

As outlined in policy 1.1.5.2, permitted uses on rural lands are:

- the management or use of resources;
- resource-based recreational uses (e.g., recreational dwellings);
- limited amounts of rural residential development;
- home occupations and home industries;
- cemeteries; and
- other rural land uses.

**Key PPS Definition**

Rural lands: lands located outside settlement areas and which are outside prime agricultural areas.
The terms “management or use of resources” and “resource-based recreational uses” are not defined in the Provincial Policy Statement, 2014. Policy direction on the wise use and management of resources is set out in Section 2.0 and provides direction that can help planning authorities interpret these terms within the context of their local conditions:

- natural heritage (policy 2.1) e.g., forest management and the conservation of natural heritage;
- water (policy 2.2) e.g., protection of drinking water;
- agriculture (policy 2.3) e.g., farm-related uses in agricultural areas;
- minerals and petroleum (policy 2.4) e.g., mineral mining operations;
- mineral aggregate resources (policy 2.5) e.g., mineral aggregate operations; and
- cultural heritage and archaeology (policy 2.6).

On Crown lands, land use planning carried out under the Public Lands Act or the Far North Act, 2010 establishes the appropriate land use designations and permitted uses prior to resource management planning processes, such as forest management planning and protected area planning. Many of these activities are further governed by provincial legislation. Land use planning should be undertaken in accordance with any relevant legislation and policy.

Resource-based recreational uses are generally related to and located in close proximity to natural features such as lakes, rivers or forests, and other geographic features. Examples include lodges, ski facilities, tourist outfitter bases of operations, outpost/hunting and fishing camps and recreational dwellings (seasonal camps /cottages that are not a permanent residence). Resource-based recreational uses should be developed in a manner that recognizes the environmental capacity of the natural feature upon which they depend.
The term “limited residential development” is also not defined in the Provincial Policy Statement, 2014. As outlined above, limited rural residential development is permitted if it meets the criteria set out by the other rural lands policies. For instance, development should be appropriate to the level of infrastructure and services, and compatible with the rural landscape.

One standard definition of “limited residential development” may not be meaningful and appropriate for all Ontario communities. Individual communities should identify how much development is “limited” within the context of local conditions. Some considerations for determining and providing a rationale for what is considered “limited residential development” within a local context include:

- population;
- character;
- land use patterns and density;
- proximity of settlement areas;
- type and availability of infrastructure and public service facilities;
- presence of natural resources; and
- presence of natural heritage features and areas.

**Promoting Agricultural Viability in Rural Areas**

New policies and definitions in the Provincial Policy Statement, 2014 protect and promote the agricultural viability of rural economies by:

- permitting more on-farm diversified uses, such as agri-tourism;
- providing more flexibility for agriculture-related uses; and
- protecting and promoting agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices in accordance with provincial standards (policy 1.1.5.8).

These uses are permitted in prime agricultural areas, and are also encouraged on rural lands where appropriate. A description of and criteria for these uses are available in the “Guideline on Permitted Uses in Ontario’s Prime Agricultural Areas” currently being developed by the Ministry of Agriculture and Food and Ministry of Rural Affairs.
Territory without Municipal Organization

Policies 1.6.6

Large portions of Northern Ontario have no municipal governance or structure and are referred to as territory without municipal organization, unorganized areas or unincorporated areas. Portions of territory without municipal organization may have services provided by local roads boards (e.g., road maintenance), local service boards (e.g., garbage collection and fire service) and planning boards (e.g., zoning by-law administration) However, most territory without municipal organization does not benefit from these boards. Most lands within territory without municipal organization are Crown land, where land use direction is principally established through land use planning under the Public Lands Act or the Far North Act, 2010.

Even in areas where local boards provide some services to private land, the establishment of new residential development or the expansion of concentrations of existing residential development is generally discouraged and/or not permitted. The Provincial Policy Statement, 2014 provides direction on the type of development that may be appropriate in certain parts of territory without municipal organization in order to minimize impacts to adjacent municipalities and the province.

What's new in the Provincial Policy Statement, 2014?

In territory without municipal organization, the Provincial Policy Statement, 2014 continues to focus development activity on the sustainable management or use of resources, and resource-based recreational uses, rather than other forms of development such as residential (policy 1.1.6).

The Provincial Policy Statement, 2014 also includes enhanced policies that:
- clarify the types of uses that may occur in territory without municipal organization (policy 1.1.6.1); and
- require the consideration of infrastructure when making land use planning decisions (policies 1.1.6.2 and 1.1.6.4 b).

Development Adjacent to and Surrounding Municipalities

Over the years, residential development has occurred in territories without municipal organization that are located adjacent to municipalities. Where planning boards are not established or a Minister’s zoning order is not in place, this development occurs without the benefit of an official plan or zoning by-law to guide and control development.
Often the residents of territories without municipal organization rely on adjacent municipalities for the provision of municipal services, such as recreational facilities and landfills, and use municipal infrastructure, including local roads. Although a municipality may charge user fees to non-residents for some of these services, full cost recovery may not be possible through user fees. Residents of the municipality may bear the cost of the services provided to residents of the unincorporated area, who do not contribute to the municipal tax base.

Permanent year-round residential development in territories without municipal organization may also create a greater demand for services in those territories compared to development that is seasonal in nature. For example, permanent residential development can create an increased demand for road maintenance, emergency services, hydro, cable, telecommunication, natural gas and oil, and other such services which may not be readily available in an unincorporated area adjacent to a municipality. Both the province and adjacent municipalities are pressured to provide and fund these services.

Therefore, the only permitted uses in territories without municipal organization that are adjacent to and surrounding municipalities are those related to the management or use of resources and resource-based recreational uses, unless (policy 1.1.6.4):

- the area falls within a planning board area;
- the necessary infrastructure and public service facilities are available;
- it is found to be appropriate through a comprehensive review; and
- the impacts of growth will not unduly strain available municipal/regional/provincial services.

If these conditions cannot be met, other forms of development, including residential development, are not permitted.

The terms “adjacent” and “surrounding” are not defined in the Provincial Policy Statement, 2014, but some considerations that can help planning authorities interpret these terms within the context of the local conditions include:

- whether the property is within a reasonable traveling or commuting distance of the municipality;
- prevalence of other permanent residential uses in the vicinity;
- availability of mail and newspaper delivery;
- availability of utilities such as hydro and telephone; and
- year-round road maintenance.

As there is a high probability that residents would use the public services and infrastructure of a nearby municipality, planning authorities should restrict inappropriate types of development and may consider discouraging the conversion of seasonal recreational dwellings to permanent residences. The factors above may be considered when determining the potential for the future conversion of a proposed resource-based recreational use (including recreational dwellings) to a residential use.
Natural Heritage

Policy 2.1

The Provincial Policy Statement, 2014 aims to protect our environment through policies that safeguard, enhance, and mitigate potential impacts to our natural heritage features and areas, while reflecting geographic variation. The Provincial Policy Statement, 2014 provides clear direction for planning matters and decisions under the Planning Act to protect our water, woodlands, wetlands, coastal wetlands, and endangered and threatened species habitat, and recognizes the need for the most protection in areas of the province with the greatest development pressures. Natural heritage features and areas contribute to Ontario’s long term economic prosperity, environmental health, and social well-being and it is in the public interest to protect these resources even where they are abundant.

What’s new in the Provincial Policy Statement, 2014?

To reflect the contribution natural heritage features and areas make to Ontario’s long-term economic prosperity, environmental health, and social well-being, the Provincial Policy Statement, 2014:

- protects all Great Lakes coastal wetlands in southern Ontario that are not already protected as significant coastal wetlands (policy 2.1.5 f); and
- aligns the treatment of the habitat of endangered and threatened species under the Provincial Policy Statement with the requirements of the Endangered Species Act, 2007 (policy 2.1.7).
Reflecting Regional Variation (policy 2.1)

Wetlands, woodlands and valleylands are afforded different levels of protection depending on where they are located in the province (policy 2.1).

- In the Canadian Shield parts of the area north of Ecoregions 5E, 6E and 7E, development and site alteration are permitted in significant wetlands, if it can be demonstrated there will be no negative impacts on the natural features or ecological functions. Development is not permitted in significant coastal wetlands. (Note: policies do not apply to Hudson Bay Lowlands)

- In Ecoregions 5E, 6E and 7E, development and site alteration are not permitted in significant wetlands, or in any coastal wetlands.

- In Ecoregions 6E and 7E, policies regarding identification of natural heritage systems, and protection of significant woodlands and valleylands apply. (Note: policies regarding significant woodlands and valleylands do not apply to islands in Lake Huron and the St. Marys River)

For more detailed mapping please see Section 5.0 of the Provincial Policy Statement, 2014.
Endangered and Threatened Species Habitat (policy 2.1.7)

The protection of endangered and threatened species habitat, especially habitat used for reproduction or for survival at critical points in the life cycle, is fundamental to achieving the recovery of these species in Ontario.

The Provincial Policy Statement, 2014 aligns the protection of habitat of endangered and threatened species with the requirements of the *Endangered Species Act, 2007*. This includes approaches for habitat protection and management established in associated regulations and policy. The Provincial Policy Statement, 2014 enables commitments or permits that are in accordance with the *Endangered Species Act, 2007* to be taken into account when decision-makers determine whether a development proposal would be consistent with the policies.

The Ministry of Natural Resources can be contacted for information regarding endangered and threatened species early in the planning process. For more information please visit [www.mnr.gov.on.ca](http://www.mnr.gov.on.ca).

**PPS Fact or Fiction?:** If the province has no data on a specific natural heritage feature, it is not considered to be significant. **FICTION**

**In Fact:** The Provincial Policy Statement, 2014 now clarifies that evaluation of some natural heritage features and resources, such as wetlands, may be required before development may be allowed (policy 4.7). This work is routinely required as part of the development approval process and this requirement is emphasized for clarity. The province supports the evaluation of these features by providing data (e.g., spatial wetlands data in Land Information Ontario) and guidance (e.g., Natural Heritage Reference Manual), but evaluations may need to be undertaken by development proponents to justify a proposed development. Some natural features have procedures or criteria in place to determine significance. For example, wetland significance is determined by trained evaluators using the Ontario Wetland Evaluation System. These features should be evaluated early in the development application process when it is more reasonable for proponents to adjust their proposals to protect the features, if required.
**Wetlands and Coastal Wetlands (policy 2.1)**

Wetlands perform important ecological and hydrological functions, including groundwater recharge, flood attenuation, nutrient and sediment filtering, mitigation of surface water flow, provision of foraging, breeding and overwintering habitat for a range of species, and carbon storage.

Wetlands are important habitats that form the interface between aquatic and terrestrial systems. While all wetlands are important and may be evaluated as significant using the Ontario Wetland Evaluation System (OWES), Ontario recognizes that coastal wetlands have special importance. Coastal wetlands are associated with the Great Lakes and provide continentally important habitat for migratory birds, such as waterfowl, and many of Ontario’s Great Lakes fish species.

Provincially significant coastal wetlands (wetlands along the Great Lakes or their connecting channels) are protected in southern and Northern Ontario. In recognition of the importance of coastal wetlands, the Provincial Policy Statement, 2014 now requires protection of all Great Lakes coastal wetlands in Ecoregions 5E, 6E and 7E (policy 2.1.5 f); not just those that are identified as significant using Ontario Wetland Evaluation System. Under the new policy, development and site alteration are not permitted under the *Planning Act* in any non-provincially significant coastal wetland in Ecoregions 5E, 6E and 7E unless it has been demonstrated that there will be no negative impacts on the wetlands or their ecological functions. Protection of all significant coastal wetlands in the province is retained.

**Key PPS Definition**

**Significant:**
in regard to wetlands, coastal wetlands and areas of natural and scientific interest, it means an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.
Additional Resources

**Natural Heritage Reference Manual**
Representing the province’s recommended technical criteria and approaches for protecting natural heritage features and areas and natural heritage systems in Ontario in a manner consistent with the Provincial Policy Statement.


**Ontario Wetland Evaluation System Northern Manual**
Technical guidance document that uses scientific criteria to quantify wetland values and enable comparisons among wetlands.

Water

Policies 2.2 and 4.13

Water provides economic and social benefits and is the foundation for healthy and diverse ecosystems and communities. It is used by humans for drinking and by industry to support our economy. It also supports ecological processes including aquatic life and aquatic ecosystems. The Provincial Policy Statement, 2014 provides clear direction to protect our water.

What's new in the Provincial Policy Statement, 2014?

New policies have been added to the water section and other parts of the Provincial Policy Statement, 2014 in an effort to better manage our water resources, for example:

- supporting consideration of cumulative impacts on a watershed basis (policy 2.2.1 a);
- ensuring consideration of environmental lake capacity where applicable (policy 2.2.1 g);
- requiring identification of surface water features including shoreline areas (policy 2.2.1 c); and
- recognizing the importance of the Great Lakes to Ontario’s long-term prosperity, environmental health and social well-being (policy 4.13).

Great Lakes (policy 4.13)

Among the fresh water resources in the province, the Great Lakes are particularly important, providing a source of fresh drinking water to most Ontarians. The Great Lakes are the largest system of fresh surface water on Earth, containing roughly 20 per cent of the world's fresh surface water.

Ontario’s land use planning framework aligns with many goals and objectives of the province’s efforts to improve, restore and protect the Great Lakes. The Provincial Policy Statement, 2014 recognizes the importance of the Great Lakes, including a policy that is intended to ensure that planning authorities consider agreements related to the protection and restoration of the Great Lakes-St. Lawrence River Basin (policy 4.13). Examples of these agreements include Great Lakes agreements between Ontario and Canada; between Ontario, Quebec and the Great Lakes States of the United States of America; and between Canada and the United States of America.

Drinking Water (policy 2.2.1)

Drinking-water wells and intakes can serve individual homes, cluster of homes, or even entire small urban areas. Areas that are near surface water intakes and wellheads are vulnerable to contamination and depletion. Vulnerable areas that serve the larger northern communities have been mapped in a local assessment report, prepared under the Clean Water Act, 2006. These vulnerable areas align with
the definition of “designated vulnerable areas” for the purpose of policy 2.2.1 e of the Provincial Policy Statement, 2014.

Planning authorities can rely on the mapping of these vulnerable areas as they plan their communities and direct development in order to satisfy their obligations to protect sources of drinking water under the Provincial Policy Statement, 2014. Drinking water systems that are outside of these areas can rely on the Ministry of the Environment Director’s technical rules to delineate vulnerable areas associated with these systems. They can then ensure they plan their communities and direct development in a manner that protects drinking water supplies.

**Shorelines (policy 2.2.1)**

Healthy shorelines provide a range of social, economic and environmental benefit. They help control surface run-off and erosion, and filter associated nutrients and harmful pollutants, thereby protecting water quality. Healthy shorelines also help regulate temperature and microclimate; screen noise and wind; preserve the aesthetic appeal of the landscape; and provide many other cultural, social and economic benefits through recreation and tourism. They also help to protect a rich biodiversity of aquatic and terrestrial habitat and species at the land-water interface. Healthy shorelines can also attract people to live in and visit Northern Ontario.

Healthy shorelines can be threatened by activities such as removal of natural vegetation; hardening and alteration; and cumulative development that can increase stormwater runoff, sedimentation, pollutant loading, and erosion, and ultimately degrade water quality and diminish habitat.

Revisions were made to the Provincial Policy Statement, 2014 to more explicitly recognize the importance of shoreline areas, including a provision that they should be identified (e.g., in official plans) (policy 2.2.1 c). The intent of the change is to heighten awareness of shoreline areas in land use planning decision making under the Planning Act and to protect sensitive shorelines as needed. In order to protect the water quality of lakes, applications for shoreline development may need to be supported with lake impact or lake capacity assessment reports.
**Lake Capacity (policy 2.2.1)**

Progressive development around the shoreline of a lake, such as camps, year-round residences, and marinas, can contribute to changes in water quality. Activities such as development and redevelopment, vegetation clearing, hardening of surfaces and fertilizer use can result in erosion and overland runoff that contributes phosphorus to lakes. Septic systems associated with most shoreline development also contribute phosphorus and other pollutants to inland lake systems. High levels of phosphorus in lake water promotes eutrophication and excessive plant and algae growth, resulting in loss of water clarity, depletion of dissolved oxygen, and a loss of habitat for species of coldwater fish, such as lake trout. Revisions were made to the Provincial Policy Statement, 2014 to ensure consideration of “environmental lake capacity” in an effort to protect water quality (policy 2.2.1 g).

The Lakeshore Capacity Assessment Handbook was developed as a tool to help protect the water quality of Ontario’s Precambrian Shield inland lakes by preventing excessive development along shorelines. The lakeshore capacity assessment model can be used to predict the level of development that can be sustained without exhibiting any adverse effects related to high phosphorus levels. Limiting phosphorus loading also contributes to the protection of coldwater fish habitat in these lakes. The Lakeshore Capacity Assessment Handbook also contains Best Management Practices for all development on shorelines.

**PPS Fact or Fiction?:** Lakes can sustain unlimited growth and development around them.

**FICTION**

**In Fact:** The protection, improvement, and restoration of water quality and quantity is an important goal of the Provincial Policy Statement, 2014. When considering sustainable limits of development along shorelines, planning authorities should consider all of the relevant policies in the Provincial Policy Statement, 2014, which range from integrated, long-term planning at the watershed scale to ensuring consideration of environmental lake capacity, where applicable.
Additional Resources

**Ontario’s Great Lakes Strategy**
The Strategy explains efforts to protect, conserve and restore the Great Lakes. It will be used in ongoing protection work as a foundation to map out goals and principles to guide future work and actions under each goal.


**Lakeshore Capacity Assessment Handbook**
This document provides guidance to municipalities and other stakeholders responsible for the management of development along the shorelines of Ontario's inland lakes within the Precambrian Shield.


**Inland Ontario Lakes Designated for Lake Trout Management**
This report lists the inland Ontario lakes (exclusive of the Great Lakes) that are currently designated for lake trout management.

Minerals and Petroleum, and Mineral Aggregate Resources

Policies 2.4 and 2.5

Minerals and petroleum, and mineral aggregate resources are vital to Ontario’s economy. The locations of these resources are fixed by nature and can be mined only where they occur (recognizing that technological approaches, such as horizontal drilling for petroleum resources, provide flexibility in the location of a surface drilling location). Some resources are more common in the north (e.g., precious metals), while others are particular to the south (e.g., petroleum).

To ensure future availability, Ontario’s mineral, petroleum and mineral aggregate resources should be accessible and capable of being developed. Protection of these resources does not mean preserving them forever, but rather supporting or promoting their long-term availability by avoiding situations that could sterilize the resource and prevent its extraction.

Ministries with Responsibilities for Mineral Aggregates, Minerals and Petroleum

The Provincial Policy Statement, 2014 applies to mineral aggregates, minerals and petroleum. The Ministry of Natural Resources has the provincial mandate for mineral aggregate and petroleum resources and administers the *Aggregate Resources Act* and the *Oil, Gas and Salt Resources Act* and Part IV of the *Mining Act*. The Ministry of Northern Development and Mines is responsible for all other minerals and administers the *Mining Act* except for Part IV. The Ministry of Northern Development and Mines also undertakes inventories of mineral aggregate resources and publishes corresponding reports (Aggregate Resource Inventory Papers).

What’s new in the Provincial Policy Statement, 2014?

For minerals and petroleum resources and mineral aggregate resources, the Provincial Policy Statement, 2014 provides policy direction to protect these resources for long-term use, requires rehabilitation to accommodate subsequent land uses, and provides direction related to rehabilitation of extraction sites in prime agricultural areas.

The Provincial Policy Statement, 2014 includes new requirements for the identification of mineral aggregates, minerals and petroleum (policies 2.4.2.1, 2.4.2.2 and 2.5.1).
Identification of Mineral Aggregates, Minerals and Petroleum

The Provincial Policy Statement, 2014 has new requirements for planning authorities to identify mineral mining operations and deposits, significant areas of mineral potential, petroleum operations and resources, and mineral aggregate deposits in their planning documents, where provincial information is available (referred to in the policies as known deposits or resources)(policies 2.4.2.1, 2.4.2.2 and 2.5.1). The intended outcome of this change is to support protection of the resources for long-term use.
Agriculture plays a significant role in the province’s economy, and supports environmental health and social well-being. Ontario’s rich farmlands grow the foods we all enjoy — more than 200 agricultural commodities. In addition to food, the farmlands also produce the raw materials we need for our developing bioeconomy. Less than six per cent of the province is considered prime agricultural land, but not all this land is available for farming and may be constrained by existing non-agricultural uses or natural heritage features. Northern Ontario has a significant amount of viable farmland that is important for feeding not just the north, but all of Ontario.

Northern Ontario has well-established dairy and beef industries, poultry, sheep and venison operations, and hosts a range of cold-weather crops and field crop varieties suited for northern production. A changing climate means the range of crops and varieties that can be grown in Northern Ontario is evolving and changing and will present new opportunities and challenges in the future. Agricultural activity occurs in concentrations throughout Northern Ontario, for example, in the Districts of Rainy River, Thunder Bay, Algoma (Township of Macdonald, Meredith and Aberdeen Additional and Town of Bruce Mines), Manitoulin, Sudbury (Municipalities of Markstay-Waren, French River and St. Charles), Timiskaming (City of Temiskaming Shores), and Nipissing (Municipalities of West Nipissing and Powassan).

The Provincial Policy Statement, 2014 provides direction to protect prime agricultural areas for long-term use for agriculture. Many of the key policies for prime agricultural areas outlined in the Provincial Policy Statement, 2005 are continued. For example, policy direction related to lot creation, normal farm practices, and minimum distance separation formulae remain largely unchanged.

What’s new in the Provincial Policy Statement, 2014?

Recognizing the importance of agriculture to the northern and rural economy, changes to the agricultural policies of the Provincial Policy Statement, 2014 include:

- a new requirement to designate prime agricultural areas in planning documents (policy 2.3.2);
- recognition and support for agricultural uses in rural areas outside of prime agricultural areas (policy 1.1.5.7 and 1.1.5.8), and for the agri-food sector and local food interests (policy 1.7.1 h);
- clarifying the range and scope of uses permitted on the farm; and
- adding flexibility on the scope and size of agriculture-related uses that serve the broader farm community.
Other requirements, such as ensuring appropriate sewage and water services and compatibility with surrounding agricultural operations still apply, as do the remaining policies of the Provincial Policy Statement, 2014.

The Ministry of Agriculture and Food and the Ministry of Rural Affairs will be working to develop additional guidance on permitted uses in prime agricultural areas to assist municipalities to develop appropriate policies in keeping with the requirements of the Provincial Policy Statement, 2014, while recognizing that agricultural communities and needs vary across rural Ontario.

**Key PPS Definitions**

**Agricultural use:** the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Agriculture-related uses:** those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**On-farm diversified uses:** uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.
Additional Resources

**Lot Creation in Prime Agricultural Areas InfoSheet**
An overview of Provincial Policy Statement, 2005 policies for the protection of prime agricultural lands and policies for lot creation in prime agricultural areas.

[www.mah.gov.on.ca/Page4723.aspx](http://www.mah.gov.on.ca/Page4723.aspx)

**Minimum Distance Separation (MDS) Formulae**
A land use planning tool that determines a recommended separation distance between a livestock barn or manure storage and another land use.

[www.omafra.gov.on.ca/english/landuse/mds.htm](http://www.omafra.gov.on.ca/english/landuse/mds.htm)

The Ministry of Agriculture and Food and the Ministry of Rural Affairs will be working to develop a variety of guidelines to assist municipalities to develop appropriate policies in keeping with the requirements of the Provincial Policy Statement, 2014, while recognizing that agricultural communities and needs vary across rural Ontario.
Natural Hazards and Planning for Climate Change

Policy 3.1

Climate change is a global issue: greenhouse gas emissions from human activities have an impact worldwide. Some greenhouse gases in our atmosphere exist naturally, but many human activities are causing significant increases, leading to rising global temperatures. Since 1948, average annual temperatures in Ontario have increased by 1.4°C, with warming projected to accelerate. The effects of climate change put human health and safety, our infrastructure, and our communities at risk. In Ontario, climate change impacts felt at local and regional scales include heavy rains, severe winds, heat waves, drought, and wildland fire.

Moving forward, all governments, including municipalities, need to respond to climate change impacts in order to reduce economic costs and potential environmental, social and health risks through actions that:

- **mitigate climate change** - actions that reduce greenhouse gas emissions that cause climate change, or enhance the storage of carbon in ecosystems; and
- **adapt to climate change** - actions that prepare for changes that are occurring, or are likely to occur, in the future.

**What's new in the Provincial Policy Statement, 2014?**

The Provincial Policy Statement, 2014 includes new direction for planning authorities to consider the potential impacts of climate change that may increase the risks associated with natural hazards (policy 3.1.3). These risks could include more extreme local weather events, which could, for example, increase the risks of flooding in the case of heavy rains, or wildland fires in the case of prolonged drought. Policy 3.1.3 does not prescribe a process or focus on a specific outcome, recognizing that the science of climate change modelling is evolving.
Other Policies Regarding Climate Change

The policies on climate change in the Provincial Policy Statement, 2014 are broader than those related to natural hazards. There is also enhanced policy direction to ensure that communities are resilient to the impacts of climate change by:

- supporting land use and development patterns that reduce greenhouse gas emissions and adaptation to climate change (policy 1.8.1);
- encouraging green infrastructure (policy 1.6.2); and
- strengthening stormwater management requirements as important components of broader infrastructure planning (policy 1.6.6.7).

Role of Conservation Authorities

The Ministry of Natural Resources has delegated responsibility to conservation authorities to comment on municipal planning documents and applications under the *Planning Act* that have been submitted to determine their consistency with the natural hazards policies of the Provincial Policy Statement.

Conservation authorities are established in conjunction with the province to implement resource management programs. Throughout southern Ontario they have been established by municipalities with a common watershed. In Northern Ontario, conservation authorities have been established by the larger municipalities, including the Cities of Thunder Bay, Sault Ste. Marie, Timmins, Sudbury and North Bay, and the province. Through the *Conservation Authorities Act*, administered by the Ministry of Natural Resources, conservation authorities implement a shared municipal/provincial program in natural hazards prevention to protect people from certain natural hazards within the authority’s jurisdiction. Through Minister-approved regulations under the *Conservation Authorities Act*, conservation authorities regulate development as defined under the Act in areas prone to water-related hazards (shorelines, floodplains, wetlands, hazardous lands) for impacts to the control of the hazards (flooding, erosion, dynamic beaches, pollution, conservation of land) and for interfering with a watercourse or wetland.

Mapping of floodplains and other natural hazards may be provided by conservation authorities to the municipalities within the authority’s jurisdiction. The Ministry of Natural Resources may provide this type of mapping where conservation authorities have not been established. However, such mapping is not available province-wide. The natural hazard policies in the Provincial Policy Statement, 2014 provide important direction in the absence of specific policies in provincial plans, or in the absence of mapping for these types of hazards.
Additional Resources

Technical guidance material on water-related natural hazards developed by the Ministry of Natural Resources to support the natural hazards policies dealing with flooding and erosion hazards has been available for many years and remains relevant.

InfoSheet: Planning for Climate Change
An overview of Planning Act tools that can help municipalities address climate change by planning for more efficient and sustainable communities.

www.mah.gov.on.ca/AssetFactory.aspx?did=7234

Understanding Natural Hazards
Technical guidance on water related natural hazards.

Natural Hazards and Wildland Fire

Policy 3.1.8

Every municipality in Ontario can be threatened by wildland fire. While most of the wildland fires that occur within three kilometers of our communities are attributable to human activities, climate change is further prompting a need to plan for the protection of people and properties from this hazard. Climate change is projected to increase fire occurrence and intensity.

In Northern Ontario, the risk of wildland fire is greater than in other parts of the province, primarily because of the predominance of forest types that may pose more of a risk, the proximity of forests to communities, and the presence of dispersed, year-round and seasonal dwellings in rural areas. The threats from wildland fire, however, can be mitigated through land use planning. For example, potential threats to health and safety and damage to property can be reduced if development is directed away from areas where the risk is greatest, and if appropriate physical mitigation measures are used (fire breaks, appropriate site design and land use arrangement, etc.).

Photo Credit: Ministry of Natural Resources, *Timmins Fire*
What's new in the Provincial Policy Statement, 2014?

The Provincial Policy Statement, 2014 includes new direction to address the risk associated with wildland fire. This new direction has two key elements:

- generally direct development away from areas where the risk of wildland fire may be greatest; and
- where this may not be possible, mitigate the threat through, for example, site design and arrangement of land uses (policy 3.1.8).

Key PPS Definitions

Hazardous forest types for wildland fire: forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

PPS Fact or Fiction?: The Provincial Policy Statement, 2014 is directing development away from all vegetated areas because of the risk of fire and these policies will unfairly restrict development in northern Ontario. **FICTION**

**In Fact:** The Provincial Policy Statement, 2014 policy for wildland fire focuses on forest types that are associated with a risk of high or extreme wildland fire. The Ministry of Natural Resources will be developing tools to enable the assessment of risk.

Additional Resources

Some support material for this policy already exists through the FireSmart program, for information please visit [www.mnr.gov.on.ca/en/Business/AFFM/2ColumnSubPage/STELO2_165412.html](http://www.mnr.gov.on.ca/en/Business/AFFM/2ColumnSubPage/STELO2_165412.html). The Ministry of Natural Resources is developing additional support material related to the Provincial Policy Statement, 2014 policy direction.
**Provincial Plans**

**Policy 4.12**

Provincial plans are to be read in conjunction with the Provincial Policy Statement, 2014 (policy 4.12). Provincial plans build upon the policy foundation provided by the Provincial Policy Statement, 2014. They provide land use planning and other policies to address issues facing specific geographic areas.

**Growth Plan for Northern Ontario, 2011**


The Growth Plan aims to strengthen Northern Ontario by diversifying the economy; enhancing education, training and career opportunities; and ensuring communities are positioned to attract people and investment.

The Growth Plan promotes long-range community visions and plans that support a good quality of life and foster social, economic, environmental and fiscal sustainability. To help achieve this, the plan encourages municipalities to:

- develop long-term strategies for their community’s future and then align official plan policies to achieve the land-use elements of the strategy;
- develop shared regional plans that build on areas of competitive advantage to drive results; and
- plan for strategic core areas (within Greater Sudbury, Thunder Bay, Sault Ste. Marie, North Bay and Timmins) as priority areas for long-term revitalization, intensification, and investment that will function as vibrant walkable mixed-use districts.

As provided for in the *Places to Grow Act, 2005*, the Growth Plan for Northern Ontario, 2011 prevails where there is a conflict between the Growth Plan and the Provincial Policy Statement, 2014. The only exception is where the conflict is between policies relating to the natural environment or human health. In that case, the direction that provides more protection to the natural environment or human health prevails. Detailed conflict provisions are set out in the *Places to Grow Act, 2005*.

For more information about the Growth Plan for Northern Ontario, 2011, please visit [www.placestogrow.ca](http://www.placestogrow.ca).
For More Information

Ministry of Municipal Affairs and Housing
Web site: www.ontario.ca/mah

Provincial Planning Policy Branch
777 Bay Street, 13th Floor
Toronto M5G 2E5
(416) 585-6014

Municipal Services Offices
For information and assistance, contact the Ministry of Municipal Affairs and Housing’s northern Municipal Services Office or visit the Ontario Regional Area Municipal Portal:
www.mah.gov.on.ca/OnRamp

Northern Municipal Services Office – Sudbury
(Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury and Temiskaming Districts)
159 Cedar Street, Suite 401
Sudbury P3E 6A5
(705) 564-0120 or 1-800-461-1193

Northern Municipal Services Office – Thunder Bay
(Kenora, Thunder Bay and Rainy River Districts)
435 James Street South, Suite 223
Thunder Bay P7E 6S7
(807) 475-1651 or 1-800-465-5027
Appendix:
Provincial Policy Statement, 2014 – Practical Scenarios

The analysis of the scenarios in this section is focused on only some of the key policies in the Provincial Policy Statement, 2014 that may be relevant to the proposals. In reality, each proposal would be unique. A more thorough planning analysis would be required based in part on local context and information to assess consistency with the policy direction in the Provincial Policy Statement, 2014. In many instances, more detailed information would be required for a complete and thorough planning analysis. The focus on only some of the key policies in this section is designed to highlight them and provide a sample of some planning considerations that would need to be assessed. Significant detail is avoided to ensure the scenarios and the analysis were not overly long and complicated. Other policies, plans, and legislation may also apply to the scenarios depending on where they are located within Ontario.
Scenario 1: Secondary Suites

A family living in a single-family home located in a rural hamlet would like to create a new apartment within their existing home for their grandmother. Is the family permitted to establish a second suite under the Provincial Policy Statement, 2014?

The Role of the Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 requires that planning authorities provide for a mix and range of housing types necessary to meet current and future needs. They do this by permitting different forms of needed housing, including second units, and establishing targets for housing that people can afford. The provision of a mix and range of housing types appropriate to a community’s needs will ensure that current and future residents have housing choices that take into account a variety of needs and incomes.

Second units, such as basement apartments and granny suites, serve to increase densities within existing housing stock. They also create opportunities for increased affordable rental housing stock and accommodating ageing in place.

The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Planning Act Provisions

Some of the changes made to the Planning Act through the Strong Communities through Affordable Housing Act, 2011 require municipalities to establish official plan policies and zoning by-law provisions allowing second units in detached, semi-detached and row houses as well as in ancillary structures (such as above laneway garages). Other provisions place limitations on the ability to appeal the establishment of such policies or provisions, including the standards for second units.

While municipalities are required to permit second units, there may be inherent constraints within portions of a municipality or community that would make those areas inappropriate for second units (such as flood-prone areas or areas with inadequate servicing). Municipalities should consider any such constraints in developing or reviewing second unit policies.

The Role of the Provincial Policy Statement, 2014

Since the proposed use is on an existing lot and within an existing home, there are only a limited number of Provincial Policy Statement, 2014 policies that would specifically apply. For example, the sewage and water servicing policies (policy 1.6.6) would need to be considered including a determination about the adequacy of the sewer and water system in light of an additional unit. If the
property is serviced by well and septic system, the proponent would need to demonstrate that those services have the capacity to service the additional demand while not negatively impacting the environment.

**Other Relevant Considerations**

There is also the potential that other documents and approvals such as building permits and accessibility standards will be relevant in determining whether this proposal will be permitted. The proposal would also be subject to local planning provisions (e.g., official plan, zoning by-law) and standards that apply to second units in relation to matters such as minimum unit size or parking requirements.
Scenario 2: Lot Creation

A landowner wants to create a new lot and there are few, if any, vacant lots within her small town on which her son could build a new house. The small town does not have a municipal sewer or water system. The municipality advised the proponent that the development would be considered infilling in the community. Is the proponent allowed to create a new lot in light of the policy direction in the Provincial Policy Statement, 2014?

There are a number of factors including the property's characteristics and location that are influential in determining whether this development is appropriate and permissible. Depending on the factors, the Provincial Policy Statement, 2014 does not prohibit creating a new lot in an unserviced community. The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Role of Provincial Policy Statement, 2014

One of the key goals of the Provincial Policy Statement, 2014 is that land should be effectively utilized, with development focussed in settlement areas, including promoting opportunities for redevelopment and intensification. This will avoid scattered development, which can be costly to service, can create demand for services that were not contemplated, and may have negative impacts on the environment and resources.

The Provincial Policy Statement, 2014 provides a hierarchy for planning sewage and water services, with preference given to municipal sewage services and municipal water services. However, the Provincial Policy Statement, 2014 recognizes that where no municipal services are provided, some development can rely on private communal sewage and water services, where appropriate. Also, some limited development on individual on-site sewage and water services may be permitted for the purposes of infilling and minor rounding out of existing development provided that environmental studies demonstrate that there will be no negative impacts associated with the services.

Applying the Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 recognizes that development will not happen in the same way or at the same rate in all parts of Ontario. At the same time, settlement area policies are relevant to all of Ontario and help to minimize unnecessary and unsustainable public expenditures in infrastructure and services.

Providing municipal water and sewage infrastructure to new development helps ensure the protection of human health and the natural environment, in particular water quality and quantity. In the absence of full municipal services, some limited development that uses communal or individual on-site sewage
and water services may be appropriate provided the long-term provision of those services will have no negative impacts on the environment.

The proponent will need to demonstrate that there will be no negative impacts to water quality and quantity by completing appropriate environmental studies in accordance with provincial standards (e.g., hydrogeological or water quality impact assessments). This is needed to protect the interests of any future resident of the site plus to protect the broader interests of the existing residents in the area including their need for safe groundwater.

**Fitting In: Site-specific Considerations**

Other policies in the Provincial Policy Statement, 2014 that may apply in this scenario and may determine the appropriateness of the development or influence the scale and location of the development, include:

- natural heritage features (e.g., provincially significant wetlands) or other resources (e.g., agriculture) that would require protection or limit lot creation opportunities;
- natural hazards (e.g., flooding hazards) that development is to avoid; and
- other infrastructure (e.g., roads) and public service facilities that is necessary and appropriate to accommodate the proposed uses and scale.

The new lot creation would also be subject to local planning provisions, including those set out in the local official plan and zoning by-law.
Scenario 3: Permitted Uses in Rural Areas

A farmer would like to set up a landscaping side business on his farm, including a home office and a building to store his landscaping equipment (e.g., lawn mowers, vehicles and other equipment). The farmer was unable to find a suitable lot in the nearby settlement area that would accommodate his side business. Is this development permitted under the Provincial Policy Statement, 2014?

There are a number of considerations including the property’s characteristics and location that are influential in determining whether this development is appropriate and permissible. One of the main considerations would be if the farm is in a prime agricultural area or on rural lands. Generally, the Provincial Policy Statement, 2014 does not prohibit the introduction of a landscaping warehouse and office on rural lands. If the farm is located in a prime agricultural area, there would be more issues to consider.

The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Role of the Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 provides direction that permits certain development on rural lands (i.e., lands outside prime agricultural areas and settlement areas), including home industries (policy 1.1.5.2), provided the development meets specified criteria. For example, the development must avoid the need for the unjustified and/or uneconomical expansion of infrastructure (policy 1.1.5.5); be compatible with local land uses in order to prevent or mitigate adverse effects (policy 1.2.6.1); and not conflict with other policies of the Provincial Policy Statement, 2014.

Planning authorities should also promote development that can be sustained by rural service levels and is compatible with the rural landscape (policy 1.1.5.4). On rural lands, opportunities should be retained for new or expanding land uses that require separation from other uses (policy 1.1.5.6), while protecting agricultural and other resource-related uses from development that may constrain these uses (policy 1.1.5.7).

The Provincial Policy Statement, 2014 policies are designed to protect prime agricultural areas for long-term use for agriculture by requiring these prime agricultural areas to be designated in the official plan; identifying permitted uses allowed in these areas; and addressing the limited circumstances in which these areas can be used for non-agricultural purposes. Regarding permitted uses in prime agricultural areas, the Provincial Policy Statement, 2014 provides that:

- agricultural uses, agriculture-related uses and on-farm diversified uses are permitted (policy 2.3.3.1). These uses are defined in the Provincial Policy Statement, 2014;
- all types, sizes and intensities of agricultural uses and normal farm practices are promoted and protected in accordance with provincial standards (policy 2.3.3.2); and
• new land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae (policy 2.3.3.3).

In prime agricultural areas, the Provincial Policy Statement, 2014 permits on-farm diversified uses that are secondary to the principal agricultural use of the property and are limited in scale/area. These may include home occupations and home industries that support the agricultural economy. The municipality will need to give consideration to these criteria to help determine whether the proposal is appropriate for prime agricultural areas. Depending on the specifics of the proposed development, the Provincial Policy Statement, 2014 limits lot creation within prime agricultural areas to lots for agricultural uses, agriculture-related uses, residences surplus to a farm operation because of farm consolidation, and infrastructure.

Also, the property may have certain characteristics that may trigger the application of other Provincial Policy Statement, 2014 policies. Other policies in the Provincial Policy Statement, 2014 may apply in this scenario and may determine the appropriateness of the development or influence the scale and location of the development, including:
  • natural heritage features (e.g., habitat of endangered species and threatened species) or other resources (e.g., water) that would require protection;
  • natural hazards (e.g., erosion hazards) that development is to avoid; and
  • infrastructure (e.g., water and sewage) that is necessary and appropriate to accommodate the proposed uses and scale.

Fitting In: Site-specific Considerations

The Provincial Policy Statement, 2014 applies province-wide but allows the outcomes to be tailored to fit the local context. As such, the Provincial Policy Statement, 2014, does not identify the size and scale of uses. Instead, planning authorities through their planning documents (e.g., official plan and zoning by-law) determine permitted uses and scale to best suit the community.

The Ministry of Agriculture and Food and Ministry of Rural Affairs are currently developing guidance material on permitted uses in prime agricultural areas which can assist municipalities to develop appropriate land use policies. The “Guideline on Permitted Uses in Ontario’s Prime Agricultural Areas” will provide criteria and additional information that municipalities can use to inform the development of their local land use policies.

It is important that the proposed new uses are compatible with the surrounding uses, including consideration of noise, air emissions and odours emitted from the landscaping business. For instance, permits and approvals for noise or disposing of certain wastes may be required. The ability to avoid and mitigate these and other impacts on neighbours, such as increased traffic, is an important test in determining the appropriateness of the proposal.
Other Relevant Considerations

Other documents and approvals may determine whether this proposal will be permitted. These may include the minimum distance separation formulae, Building Code, the Ministry of the Environment’s D-Series Guidelines (which provide guidance on avoiding and mitigating land use compatibility issues), and other environmental approvals.
Scenario 4: Limited Residential Development in Rural Areas

A rural municipality with little historic growth is under pressure to permit more development in rural lands outside of its rural settlement area and the prime agricultural areas designated in the official plan. The municipality is undertaking a five year review of its official plan. As part of this review, the municipality would like to ensure it has sufficient lands available to grow and develop over the 20 year planning horizon.

To determine the amount of land needed and available for new development within its rural settlement area and rural lands, the municipality undertook a vacant land inventory and assessed its projected population. The analysis indicated a need for approximately 200 additional residential lots over the next 20 years (approximately 10 lots per year). The Town’s existing official plan permits 25 rural estate lots per year on rural lands outside of the settlement area, but this threshold was never reached.

What Lot Creation Policies may be Appropriate for This Municipality?

The official plan is the main vehicle for implementing the Provincial Policy Statement, 2014. The five-year review is an opportunity to ensure the official plan continues to address local priorities, reflects changing community needs and implements updated provincial policies in land use planning. The municipal official plan and zoning by-law are also critical in determining whether future proposals for development can be permitted.

The Role of the Provincial Policy Statement, 2014:

The Provincial Policy Statement, 2014 directs growth to settlement areas, including rural settlement areas. It also permits limited residential development within rural lands located in municipalities (policy 1.1.5.1. c). However, the term ‘limited’ is not defined, and the municipality will therefore need to determine what limited means given its local circumstances.

The completion of an assessment of existing vacant lots, both on rural lands and in the rural settlement area, is a good first step in determining how much land is available for development. Local intensification targets and phasing policies need also to be considered and the availability of infrastructure and public service facilities needs to be assessed. This information, combined with projected population growth, will assist the municipality in determining how many more residential lots are needed over the 20-year planning horizon.

The municipality must ensure that the distribution of residential development throughout the municipality reflects the intent of policy 1.1.4.2 of the Provincial Policy Statement, 2014, which states that “...rural settlement area(s) shall be the focus of growth and development and their vitality and regeneration shall be promoted.”
If the municipality determines that the existing rural settlement area can accommodate the majority of projected growth (through development on existing vacant lots, infilling, and new lot creation), then an expansion of the settlement area boundary will not be needed. If no expansion is proposed, then the municipality does not have to undertake a comprehensive review.

The municipality, knowing that there is a demand for lots on rural lands, will need to develop policies that address growth on rural lands without compromising the viability of its rural settlement area. It appears that the existing official plan policies that permit 25 rural estate lots per year (resulting in a possible 500 lots over the planning horizon) are not reflective of current needs and projections. Alternative consent and subdivision policies are needed in order to appropriately distribute a limited portion of the projected 200 lots to the municipality’s rural lands.

Ontario municipalities have taken multiple policy approaches to permitting limited residential development on rural land. For example:

- directing a higher percentage of growth to settlement areas and a lower percentage to rural lands;
- examining the ability to service existing and projected growth through an assessment of the capacity of existing and planned sewage and water servicing;
- identifying a “cap” on the number of lots that can be created on rural lands on an annual (or other timeframe) basis; and
- identifying the number of lots that can be created from a parent parcel of land on rural lands as of a certain date.

For these policy approaches, and any others that are being implemented to achieve the same outcome of limited rural residential development, municipalities should carefully monitor actual lot creation to determine whether the policies are effective and remain appropriate.

Other Considerations

The appropriate provision of infrastructure is another key consideration for permitting limited residential development on rural lands. Policy 1.1.5.5 of the Provincial Policy Statement, 2014 states that “development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure”. The costs of providing and maintaining public roadways and other infrastructure and services (such as fire and police) to more dispersed rural development therefore also need to be taken into account.

Dispersed rural development may affect the municipality’s long-term economic prosperity that is provided for by policy 1.7. For example, opportunities for economic development could be lost when residential lots produce land use compatibility concerns for potential industrial uses.
The requirement to separate residential development from other incompatible land uses on rural lands should also be considered. Policy 1.1.5.9 of the Provincial Policy Statement, 2014 states that “new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.” If any livestock facilities are in the vicinity of a proposed new residential lot on rural lands, the minimum distance separation formulae should be considered, which will likely result in a setback distance that must be met between the livestock facility and the new proposed lot. In some cases, this may affect the proposed location of the lot.
Scenario 5: Cottage Development

A small cottage development of three lots is being proposed around an inland lake in a rural area in a municipality. The lands are not part of a prime agricultural area. Is this cottage development permitted under the Provincial Policy Statement, 2014?

There are a number of factors including the property’s characteristics and location that are influential in determining whether this development is appropriate and permissible. While Provincial Policy Statement, 2014 does not prohibit the development of cottages around a lake, there are other considerations that would influence the decision.

The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Role of Provincial Policy Statement, 2014

As outlined in the Provincial Policy Statement, 2014, permitted uses on rural lands may include resource-based recreational uses (e.g., recreational dwellings). Although the term “resource-based recreational uses” is not defined in the Provincial Policy Statement, 2014, resource-based recreational uses are generally related to and located in close proximity to one or more things like natural features such as lakes, rivers or forests, and other geographic features. Examples include recreational dwellings (such as cottages and camps), country inns, hunting lodges, hiking trails, marinas and ski hills.

Fitting In: Site-specific Considerations

One of the key goals of the Provincial Policy Statement, 2014 is the effective use of land and resources, with development primarily focussed in settlement areas (policies 1.1.3.1 and 1.1.4.2). This ensures the use of existing public infrastructure and public service facilities is maximized, reduces the costs for municipalities to provide services to a vast rural area, and minimizes negative impacts on the environment.

The Provincial Policy Statement, 2014 recognizes that development will not happen in the same way or at the same rate in all parts of Ontario. At the same time, the settlement area policies are relevant to all areas of Ontario and help minimize unnecessary public expenditures in infrastructure and services. Providing municipal water and sewage infrastructure to new development helps ensure the protection of human health and the natural environment, in particular water quality and quantity. In the absence of full municipal services, some limited development that uses communal or individual on-site sewage and water services may be appropriate provided it has been demonstrated that the long term provision of those services will have no negative impacts on the environment.
These uses should be developed in a manner that recognizes the environmental capacity of the features and areas upon which they depend. The scale and the location of the development (i.e., on a lake) may trigger other considerations in the Provincial Policy Statement, 2014, including the protection of water resources and fish habitat. Shoreline development can result in the loss of vegetation and hardening of surfaces and increase the potential of erosion and pollution of water bodies. The Provincial Policy Statement, 2014 ensures consideration of “environmental lake capacity” in an effort to protect water quality for drinking and for aquatic life (e.g., fish). Consideration of environmental lake capacity is supported by existing implementation tools (Lakeshore Capacity Assessment Handbook, 2010), which direct this consideration to inland lakes in the Precambrian shield.

Given the proximity of the proposal to a water body, consideration may need to be given to the potential of archaeological resources on the site. The local municipality may have an archaeological management plan that identifies the areas with known archaeological sites and the areas of archaeological potential. Such a plan can be an effective tool that supports the implementation of municipal policies and procedures for identifying and conserving archaeological resources. The Provincial Policy Statement, 2014 encourages the use of archaeological management plans to support the desired outcomes of conserving archaeological resources while expediting the development plan review process.

Regardless of whether the municipality has an archaeological management plan in place, the municipality may require archaeological assessments or studies in areas of archaeological potential as part of applications under the Planning Act.

Other policies in the Provincial Policy Statement, 2014 may apply in this scenario and may determine the appropriateness of the development or influence the scale and location of the development, including:

- other natural heritage features (e.g., wetlands) or other resources (e.g., minerals or aggregates) that would require protection;
- human-made hazards (e.g., mining-related hazards); and
- natural hazards (e.g., hazardous forest types for wildland fires) that development is to avoid or address.

Other Relevant Considerations

There is also the potential that other documents and approvals will be relevant in determining whether this proposal will be permitted including Building Code approvals, environmental approvals, Ontario Heritage Act approvals, Fisheries Act rules or authorizations, and any local planning provisions set out in the local official plan and zoning by-law.
For two generations, a family has owned a large rural property in territory without municipal organization directly adjacent to a municipality. They have applied to the approval authority to create two new recreational dwelling lots off the far corner of their property. A planning board is not in place. There are no local planning documents such as an official plan or zoning by-law to guide development. The Provincial Policy Statement, 2014 is the only policy guiding planning and development and all planning decisions shall be consistent with the Provincial Policy Statement, 2014. How should the Provincial Policy Statement, 2014 be considered in the review of this proposal?

There are a number of factors, including the property’s characteristics and location, that influence a decision on whether new lot creation is appropriate in rural areas without municipal organization.

The Role of the Provincial Policy Statement, 2014

One of the key goals of the Provincial Policy Statement, 2014 is the effective use of land, with development to be focussed in settlement areas in municipalities. The protection of the financial and economic well-being of the province and its municipalities is another matter of provincial interest articulated in the Provincial Policy Statement, 2014.

The Provincial Policy Statement, 2014 directs that in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (policy 1.1.6.1).

Resource-based recreational uses generally benefit from and are located in close proximity to natural features such as lakes, rivers, and forests, and other geographic features. Examples include recreational dwellings (such as camps and cottages), country inns, hunting lodges, hiking trails, marinas and ski hills.

Other uses, such as year-round permanent residential uses, and commercial or industrial uses that are not based on resources and natural features, are more appropriately located within municipalities, close to customers and other services. Directing development to municipalities helps grow the municipal tax base, protects natural areas and features, ensures efficient use of infrastructure, and improves the quality of life for residents in the municipality.

In territory without municipal organization, development that is not related to the sustainable management or use of resources or resource-based recreational uses may be appropriate in areas adjacent to and surrounding municipalities if:

• it is within a planning area (covered by a planning board);
• it has access to necessary existing or planned infrastructure and public service facilities; and
a comprehensive review determines that the impacts of development will not place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities, regions and/or the province (policy 1.1.6.4).

Applying the Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 recognizes that development will not happen in the same way or at the same rate in all parts of Ontario. At the same time, these basic planning policies are relevant to all areas of Ontario and help minimize unnecessary public expenditures in infrastructure and services.

Development in territories without municipal organization adjacent to and surrounding municipalities can represent a loss of potential growth within the municipality. Landowners in these territories will benefit from municipal services without contributing to the municipal tax base or the growth of the municipality. Some development outside of municipalities may be appropriate provided it does not place an undue strain on municipal and provincial services and does not rely on new, unplanned provincial infrastructure being established. Creating more residential lots adjacent to the municipality, however, may also reduce the viability of existing vacant and underutilized lots within the municipality. In cases where development is proposed adjacent to a lake, the policies speak to ensuring environmental lake capacity is considered.

With these considerations in mind, in order to obtain the proposed severances, the family would be expected to demonstrate to the approval authority that the proposed use of the property and the associated recreational dwellings are consistent with the Provincial Policy Statement, 2014.

The family would need to demonstrate that the proposed recreational lots/dwellings are intended for recreational purposes. Abutting a skill hill or water body, for example, may help to meet the test of being a recreationally-based use, compared to another location where recreational amenities may not exist or where “recreation” is not the primary use intended for the property. An approval authority on reviewing the proposal from the perspective of good land use planning may consider whether there is a risk that the recreational dwellings on the newly created lots would convert to residential development in the future.

There are a number of factors that may influence the decision on these proposed severance applications to allow dwellings that are recreationally based, as outlined in this document, including:

- whether the property is within a reasonable traveling or commuting distance of the municipality;
- the prevalence of other permanent residential uses in the vicinity;
- the availability of services such as mail and newspaper delivery;
- the availability of utilities such as hydro and telephone; and
- the status of existing access (e.g., water access only versus year-round road maintenance).
The family may continue to use their existing parcel of land, severing the property may not be appropriate in this area depending on the potential of the proposed severance applications to enable permanent residential uses to be established on the conveyable lots.

Other Site-specific Considerations

Other policies in the Provincial Policy Statement, 2014 may apply in this scenario and may determine the appropriateness of the development or influence the scale and location of the development, including:

- natural heritage features (e.g., provincially significant wetlands) or other resources (e.g., agriculture, water quality, areas of potential or known mineral resources) that would require protection;
- natural hazards (e.g., flooding hazards or wildland fires) and human-made hazards (e.g., mining hazards) that development is to avoid;
- infrastructure (e.g., water and sewage) that is necessary and appropriate to accommodate the proposed uses and scale;
- major facilities (e.g., rail, highway) that should be compatible with the proposed development;
- cultural heritage resources (e.g., significant archaeological resources) that must be conserved if present on the site;
- nearby provincial park or conservation reserve – if nearby, negative impacts on such an area must be minimized; and
- third-party interest in the land (e.g., is the family’s property surface rights only, and if yes, are the mining rights held separately or are they held by the Crown).
Scenario 7: Wetland

A hunting supplies business located along a major highway in Northern Ontario would like to expand to sell all-terrain vehicles and fishing boats, but this would require developing on a small part of the property that is a wetland (but not a coastal wetland). Is this business allowed to develop on a small part of wetland under the Provincial Policy Statement, 2014?

There are a number of factors including the property’s characteristics and location that are influential in determining whether this development is appropriate and permissible. Depending on the factors, the Provincial Policy Statement, 2014 does not necessarily prohibit the proposal on the small part of the property that is a wetland in Northern Ontario.

The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Role of Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 aims to protect our environment through policies that safeguard, enhance, and mitigate potential impacts to our natural heritage features and areas, while reflecting geographic variation. For instance, in Ecoregions 5E, 6E, 7E, development and site alteration are not permitted in significant wetlands, or in any coastal wetlands. In the area on the Canadian Shield north of Ecoregions 5E, 6E, 7E, development and site alteration are not permitted in significant wetlands, unless it can be demonstrated there will be no negative impacts on the natural features or ecological functions. Development and site alteration are not permitted in significant coastal wetlands anywhere in the province.

Prior to deciding if development is allowed in this small part of the wetland, the location of the wetland needs to be considered (i.e., ecoregion and whether it is a coastal wetland) and the significance of the wetland needs to be determined. Current data or mapping from the Ministry of Natural Resources will show whether the wetland is evaluated significant, evaluated not significant or unevaluated. In the case of unevaluated wetlands, evaluation is required. There is a standardized method in place to determine wetland significance (the Ontario Wetland Evaluation System). Wetland evaluations can be performed by evaluators trained by the Ministry of Natural Resources. A study or report that identifies potential negative impacts from the development within the wetland and/or on adjacent lands and recommends appropriate mitigation of impacts is required if the wetland is identified as significant. This information should be gathered early in the development application process when it is more reasonable for proponents to adjust their proposals.

Given the business is adjacent to a major highway, the proposal should be compatible with, and support, the long-term purposes of the highway and should be designed to avoid, mitigate or minimize negative impacts on, and from, the highway (policy 1.6.8).
Other Site-specific Considerations

Other policies in the Provincial Policy Statement, 2014 may apply in this scenario and may determine the appropriateness of the development or influence the scale and location of the development, including:

• other natural heritage features (e.g., habitat of endangered species) or other resources (e.g., minerals or aggregates) that would require protection;
• natural hazards (e.g., flooding hazards or wildland fires) that development is to avoid; and
• infrastructure (e.g., water and sewage) that is necessary and appropriate to accommodate the proposed uses and scale.

Other Relevant Considerations

Other documents and approvals may be relevant in determining whether this proposal will be permitted, including Building Code approvals, municipal licensing, and any local planning provisions set out in the local official plan and zoning by-law.
Scenario 8: Lot Creation in Prime Agricultural Areas

A proponent is seeking to sever one hectare (2-1/2 acres) of land from a corner of his larger farm property to build a new home for a family member with no connection to the farming operation. The farm is located in a prime agricultural area and is surrounded by other active farms. The area to be severed is not currently in agricultural production and contains a pocket of lower capability (Canada Land Inventory Class 5) land. Further, the proposed parcel to be severed also had a residence on it at one time but it was demolished many years ago. Is the proposed severance permitted under the Provincial Policy Statement, 2014?

In this instance, the Provincial Policy Statement, 2014 would not permit the creation of a new residential lot in a prime agricultural area.

The Role of the Provincial Policy Statement, 2014

One of the goals of the Provincial Policy Statement, 2014 policies is to protect prime agricultural areas for long-term use by agriculture.

The Provincial Policy Statement, 2014 achieves this, in part, through policies that are designed to protect prime agricultural areas for their long-term use for agriculture by requiring that these areas be designated in municipal official plans. The policies also identify the permitted uses in prime agricultural areas, as well as the limited circumstances in which lands in these areas can be used for non-agricultural uses.

The Provincial Policy Statement, 2014 provides that the creation of new residential lots, including farm retirement lots and residential infilling, is not permitted in prime agricultural areas including specialty crop areas, except for a residence surplus to a farming operation as a result of a farm consolidation.

The Provincial Policy Statement, 2014 discourages lot creation in prime agricultural areas. The creation of new lots may be permitted only for (policy 2.3.4.1):

- agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance and the new lot will be a minimum size needed to accommodate the use and appropriate sewage and water services; and
- infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
Another way the Provincial Policy Statement, 2014 achieves this goal is by promoting the efficient use of land by directing growth and development to urban and rural settlement areas while supporting the viability of the broader rural area.

Prime agricultural areas are defined as areas where prime agricultural lands predominate. Specialty crop areas are given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 to through 7 lands within the prime agricultural area, in this order of priority (policy 2.3.1). In the example, while the lands may not currently be in agricultural production and have lower capability, they are part of a broader prime agricultural area. As a result, under the Provincial Policy Statement, 2014, the proposal would not be permitted. Only agricultural uses, agriculture-related uses and on-farm diversified uses are permitted in prime agricultural areas (policy 2.3.3.1).

The creation of residential development in agricultural areas, even if the lands have lower capability, places restrictions on agricultural activities and normal farm practices. Complaints about noise, odour, dust and other issues tend to accompany the introduction of new residential lots in agricultural areas and can restrict or impact agricultural operations.

The Provincial Policy Statement, 2014, permits lot creation in prime agricultural areas only for agricultural uses, agriculture-related uses, a residence surplus to a farm operation as a result of farm consolidation, and infrastructure (policy 2.3.4.1). These policies are in place to reduce the fragmentation of agricultural land and to protect agricultural operations from nuisance complaints or other restriction on agricultural activities and normal farm practices. The proposed residential lot is not an example of a residence surplus to a farm operation as a result of farm consolidation as no residence currently exists.

The minimum distance separation formula is not applicable in this scenario, as the use is not permitted and the lot cannot be created. However, in Ontario's rural lands and prime agricultural areas, the Provincial Policy Statement, 2014 requires that new land uses, including the creation of lots and new or expanding livestock facilities, comply with the minimum distance separation formula.
Scenario 9: Permitted Uses in Prime Agricultural Areas

A hog farmer would like to establish a business on a property next to her farm where she can make and sell sausages. Is this development permitted under the Provincial Policy Statement, 2014 in a prime agricultural area?

A number of factors are important to consider, including the scale of the proposal as well as the property’s characteristics and location. Depending on those factors, the Provincial Policy Statement, 2014 does not prohibit the introduction of a sausage making facility and retail store in prime agricultural areas.

The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Role of the Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 permits agriculture-related uses, such as meat processing directly related to farm operations in the area, in prime agricultural areas to support the agricultural and rural economy.

The Provincial Policy Statement, 2014 policies are designed to protect prime agricultural areas for long-term agricultural use by requiring the designation of these prime agricultural areas in the official plan, identifying permitted uses allowed in these areas, and addressing the limited circumstances in which these areas can be used for non-agricultural purposes. Regarding permitted uses in prime agricultural areas, the Provincial Policy Statement, 2014 provides that:

- agricultural uses, agriculture-related uses and on-farm diversified uses are permitted (policy 2.3.3.1). These uses are defined in the Provincial Policy Statement, 2014;
- all types, sizes and intensities of agricultural uses and normal farm practices are promoted and protected in accordance with provincial standards (policy 2.3.3.2); and
- new land uses, including the creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae (policy 2.3.3.3).

Permitted uses recognize the need for on-farm economic development opportunities and aim to support the agricultural and rural economy. Depending on the property, there may also be other policies in the Provincial Policy Statement, 2014 that apply, such as:

- protecting natural heritage features (e.g., provincially significant woodlands) or other resources (e.g., water);
- avoiding natural hazards (e.g., floodway); and
- ensuring the necessary infrastructure and services (e.g., roads, water and sewage) are available to service the proposed uses and scale.
Other policies in the Provincial Policy Statement, 2014 may apply in this scenario and may determine the appropriateness of the development or influence the scale and location of the development.

**Fitting In: Site-specific Considerations**

The Provincial Policy Statement, 2014 applies province-wide but allows the outcomes to be tailored to fit the local context. As such, the Provincial Policy Statement, 2014, does not identify the size and scale of uses. Instead, planning authorities through their planning documents (e.g., official plan and zoning by-law) determine permitted uses and scale to best suit the community.

The Ministry of Agriculture and Food and the Ministry of Rural Affairs are currently developing guidance material on permitted uses in prime agricultural areas to assist municipalities in developing appropriate land use policies. The “Guideline on Permitted Uses in Ontario’s Prime Agricultural Areas” will provide criteria and additional information that municipalities can use to inform the development of their local land use policies.

The proposed new uses would need to be compatible with the surrounding uses, giving consideration to things such as noise and odours, which can help determine the appropriateness of the development.

**Other Relevant Considerations**

Other documents and approvals may determine whether this proposal will be permitted. These may include the minimum distance separation formulae, Building Code, health regulations and standards, food safety regulations and license requirements, Nutrient Management Act, 2002 approvals, Environmental Protection Act approvals, and permit or certain rules to be followed under the Endangered Species Act, 2007.

The proposal would also be subject to local planning provisions (e.g., official plan, zoning by-law).
Scenario 10: Minimum Distance Separation (MDS) Formulae

The owner of a residential property located on rural lands would like to divide her lot to create one new lot for the purpose of building a house for her son. The owner’s house would be on the retained lot. The property is located across a road from a pig farm. Is the proponent allowed to create a new lot considering the policy direction set out in the Provincial Policy Statement, 2014?

There are a number of factors, including the property’s characteristics and location, which are influential in determining whether this development is appropriate and permissible. Depending on the factors, the Provincial Policy Statement, 2014 does not prohibit creating new lots on rural lands. The municipal official plan and zoning by-law are also critical in determining whether the proposed development can be permitted.

The Role of the Provincial Policy Statement, 2014

The Provincial Policy Statement, 2014 permits certain development on rural lands (i.e., lands outside prime agricultural areas and settlement areas), including limited residential development (policy 1.1.5.2), provided the development meets specified criteria. For example, it avoids the need for the unjustified and/or uneconomical expansion of infrastructure (policy 1.1.5.5), and does not conflict with other policies of the Provincial Policy Statement, 2014. Planning authorities should also promote development that can be sustained by rural service levels and that is compatible with the rural landscape (policy 1.1.5.4). On rural lands, opportunities to locate new or expanding land uses that require separation from other uses should be retained (policy 1.1.5.6), while protecting agricultural and other resource-related uses from development that may constrain these uses (policy 1.1.5.7).

The Provincial Policy Statement, 2014 aims to promote and protect agricultural uses and normal farm practices. Consideration would need to be given to the potential incompatibility between the existing livestock facility and the new residence.

Regarding agriculture on rural lands, the Provincial Policy Statement, 2014 provides that:
- agricultural uses, agricultural-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards (policy 1.1.5.8); and
- new land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae (policy 1.1.5.9).

Fitting In: Site-specific Considerations

Given this policy direction in the Provincial Policy Statement, 2014, the development would need to consider the proximity from the nearby livestock operation. The minimum separation distance (MDS) formulae would be applicable to the proposed lot severance and would determine the required minimum setback for new sensitive development (e.g., residential) from livestock operations. The
location and intensity of the livestock operation may determine the appropriateness of this
development or influence the scale and location of the development. Generally, the larger the livestock
operation, the greater the setback required by the minimum distance separation formula.

Depending on the property, other policies in the Provincial Policy Statement, 2014 may also apply, such as:

- whether there are archeological resources on site to protect;
- whether the new lot contains or is adjacent to natural heritage features (e.g., provincially
  significant wetlands) or other resources (e.g., aggregates, other surface or ground water
  features) to protect; and
- whether there are natural hazards (e.g., flood plains) to avoid.

Other policies in the Provincial Policy Statement, 2014 may apply in this scenario and may determine the
appropriateness of the development or influence the scale and location of the development.

The Ministry of Natural Resource’s *Natural Heritage Reference Manual* recommends that, if
development exists within the recommended adjacent lands widths for natural heritage features, and
the existing development is situated between the feature and the new development, the demonstration
of no negative impacts can simply be a statement in a planning report that negative impacts are not
anticipated.

**Other Considerations**

Any new lot creation would also be subject to local planning provisions, including those set out in the
local official plan and zoning by-law. There is also the potential that other documents and approvals will
determine whether this proposal will be permitted, including the building code.
Scenario 11: Wildland Fire

A proponent would like to build a small residential subdivision and found a parcel of municipally serviced (water and sewage) land in a forested area just within the boundary of a small community. Is this subdivision permitted under the Provincial Policy Statement, 2014?

There are a number of factors, including the property’s characteristics and location, that are influential in determining whether this development is appropriate and permissible. Depending on the factors, the Provincial Policy Statement, 2014 does not prohibit the subdivision proposal.

The Provincial Policy Statement, 2014 may determine the appropriateness of the development or influence the scale and location of the development, including whether there are natural heritage features (e.g., significant woodlands) or other resources (e.g., agricultural areas) that would require protection from this development.

The Provincial Policy Statement, 2014 includes new direction for planning authorities to direct development away from areas of high to extreme risk of wildland fire unless the threat from fire is mitigated (policy 3.1.8). The Provincial Policy Statement, 2014 approach to addressing the risk associated with wildland fire has two key elements:

1) generally direct development away from areas where the risk may be greatest; and
2) where this may not be possible, mitigate the risk through, for example, site design and arrangement of land uses that help reduce the risk.

The municipal official plan and zoning by-law are critical in determining whether the proposed subdivision can be permitted. The municipal official plan should aim to protect public health and property from these wildland fires by:

• including policies and designating on schedules lands with hazardous forest types for wildland fire that development should avoid;
• including policies that require development to incorporate site designs and arrangements of land uses (e.g., through zoning by-law and/or site plan control) that will assist in mitigating the risk from wildland fire in situations where development cannot avoid lands with hazardous forest types for wildland fire; and
• setting out considerations for wildland fire mitigation measures in subdivision and other development agreements.

Some implementation support material for this policy direction already exists (FireSmart program). The Ministry of Natural Resources is also developing additional support material related to the Provincial Policy Statement, 2014 policy direction.