DENTONS

Streamlining development and intensification: Guide to the new *Provincial Planning Statement*

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In our most recent update, <u>Ontario government releases final version of the Provincial</u> <u>Planning Statement, 2024</u>, we provided an overview of key policy changes to Ontario's land use planning regime to be implemented through the <u>Provincial Planning Statement, 2024</u> (**PPS 2024**), which came into force on October 20, 2024.

The impact of the PPS 2024 will be felt on all planning-related decisions in the province. This bulletin provides a detailed overview of the new PPS 2024, which is now in force, and its key policy changes (please see our list of prior updates below on the evolution of these changes since 2023).

An overview of planning policy in Ontario

Provincial planning statements are *policy statements* issued under section 3 of the <u>Planning</u> <u>Act</u>. Policy statements are issued by the Minister of Municipal Affairs and Housing on matters relating to municipal planning that are of provincial interest. All decisions in respect of the exercise of any authority affecting a planning matter must be consistent with policy statements and conform to provincial plans in effect. These statements set the direction for regulating land use planning across the province and help drive provincial goals.

Prior to October 20, 2024, Ontario's primary provincial policy documents were the <u>Provincial</u> <u>Policy Statement, 2020</u> (PPS 2020) and <u>A Place to Grow: Growth Plan for the Golden</u> <u>Horseshoe</u> (Growth Plan).

The road to revision: The evolution of the PPS 2024

In the Fall of 2022, following the introduction of <u>Bill 23, More Homes Built Faster Act, 2022</u>, the Ontario government initiated a review of the PPS 2020 and the Growth Plan as part of its ongoing effort to address what has been referred to as Ontario's "housing crisis," and announced its intention of combining the PPS 2020 and the Growth Plan into a single document.

Throughout 2023 and 2024, the Ontario government released for public comment iterative drafts of the PPS 2024, which consolidates and combines the PPS 2020 and the Growth Plan into a single land use planning policy statement. On August 20, 2024, the Ontario government released the final version of the PPS 2024, which came into effect on October 20, 2024, and

replaced the PPS 2020. The Growth Plan was also revoked the same day pursuant to <u>O. Reg.</u> <u>328/24</u> (through its revocation of section 2 of <u>O. Reg. 416/05</u>).

Pursuant to section 3(5)(a) of the *Planning Act*, a decision of any planning authority that affects a planning matter must be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision, meaning that all land use planning decisions made as of October 20, 2024, going forward, must be consistent with the PPS 2024. However, the PPS 2024 remains subject to a potential future transition regulation, on which the Ministry of Municipal Affairs and Housing has sought feedback through the Environmental Registry of Ontario posting <u>ERO 019-9065</u> about whether there are any *specific* planning matters in process, such as development applications or planning matters under appeal, that should be addressed through a transition regulation to facilitate the implementation of the PPS 2024. The commenting period on the ERO posting closed October 4, 2024, and updates respecting the transition regulation have not yet been shared. We will continue to follow this and provide any future updates as needed.

Streamlining development and intensification: Overview of the PPS 2024

The PPS 2024 combines elements of the PPS 2020 and Growth Plan into an integrated land use planning policy framework, aimed at facilitating growth, supporting an investment-ready economy, increasing intensification, promoting a range and mix of housing options, and removing barriers to assist with the implementation of the Ontario government's *Housing Supply Action Plan*, which has the goal of constructing 1.5 million new homes in Ontario by 2031.

More specifically, the PPS 2024 introduces specific density targets, provides broader permissions for residential intensification and development, and eliminates the concept of a municipal comprehensive review, which, among other things, untethers settlement area boundary expansions and the conversion of employment areas from comprehensive reviews that only occurred once every 5-10 years.

The PPS 2024 also contains policies that apply to *large and fast-growing municipalities*¹, which have the greatest need for housing. The following municipalities are listed in Schedule 1 of the PPS 2024:

Town of Ajax City of Barrie City of Brampton City of Brantford City of Burlington Town of Caledon City of Cambridge Municipality of Clarington City of Guelph City of Hamilton City of Kingston City of Mississauga Town of Newmarket City of Niagara Falls Town of Oakville City of Oshawa City of Ottawa City of Ottawa City of Pickering City of Richmond Hill City of St. Catharines City of Toronto City of Vaughan

¹ All italicized terms in this bulletin are defined in the PPS 2024.

City of Kitchener City of London City of Markham Town of Milton City of Waterloo Town of Whitby City of Windsor

What has changed? Deep dive on the PPS 2024 and key changes from the PPS 2020 and Growth Plan

This bulletin provides an in-depth look at select provisions of the finalized PPS 2024 and some of the key policy changes that have been introduced to Ontario's land use planning regime. In each section, we begin by summarizing the main features of the identified section of the PPS 2024, including content incorporated from the PPS 2020, content incorporated from the Growth Plan, and new content. We then outline key modifications to the previous policy framework under "What has changed?" with a focus on identifying significant policies that have been removed or modified.

SETTLEMENT AREAS

a. Settlement areas and settlement area boundary expansion (policy 2.3) PPS 2024: The PPS 2024 provides that *settlement areas* are to be the focus of growth and development and that, within those *settlement areas*, growth should be focused in *strategic growth areas*, including *major transit station areas* (policy 2.3.1).

The PPS 2024 further provides that within *settlement areas*, land use planning should be based on densities and a mix of land uses that, among other things, use land resources efficiently, optimize existing and planned *infrastructure* and *public service facilities*, and are *transit-supportive*, as appropriate (policy 2.3.2).

In addition, under the PPS 2024, planning authorities:

- Must support general *intensification* and *redevelopment* to support the achievement of *complete communities* with a range and mix of *housing options*, and prioritize planning and investment in the necessary *infrastructure* and *public service facilities* (policy 2.3.3);
- Must establish and implement minimum *intensification* and *redevelopment* targets in built-up areas (policy 2.3.4);
- Are encouraged to establish density targets for designated growth areas, while large and fast-growing municipalities are encouraged to plan for a target of 50 residents and jobs per gross hectare in designated growth areas (policy 2.3.5); and
- Should establish and implement phasing policies, where appropriate, to ensure the orderly development within *designated growth areas* and that it aligns with the timely provision of *infrastructure* and *public service facilities* (policy 2.3.6).

Finally, in identifying new *settlement areas* or allowing expansions to same, planning authorities must consider:

- The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses (policy 2.3.2.1a));
- Whether there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*' capacity (policy 2.3.2.1b)), noting that a new *settlement area* may only be identified where it is demonstrated that *infrastructure* and *public service facilities* to support development are planned or available (policy 2.3.2.2);
- Whether the new or expanded *settlement area* complies with the *minimum distance separation formulae* (policy 2.3.2.1e));
- The ability to provide for phased progression of urban development with the new or expanded settlement area (policy 2.3.2.1g)); and
- Agricultural and related impacts as set out more specifically in the PPS 2024 (policies 2.3.2.1c), d), and f)).

What has changed?

- Removes the Growth Plan requirement that only permitted *settlement area* boundary expansions at the time of a municipal comprehensive review (or other times in exceptional circumstances), thereby permitting expansion at any time, subject to the discretion of the relevant planning authority.
- Modifies the checklist-style criteria (that must be demonstrated) for identifying or expanding settlement areas under the PPS 2020, replacing it with a list of factors that planning authorities must "consider."

HOUSING/GROWTH TARGETS

b. Planning for people and homes (policies 2.1)

PPS 2024: The PPS 2024 establishes new policies regarding planning for future growth. It requires planning authorities to base population and employment growth forecasts on the <u>Ministry of Finance's Ontario Population Projections</u>, with an exception allowing municipalities to continue using population and employment forecasts previously issued by the province (policies 2.1.1-2.1.2).

Additionally, the PPS 2024 requires that municipalities make sufficient land available to accommodate an appropriate range and mixed of land uses to meet projected needs for 20–30 years. That said, planning for *infrastructure*, *public service facilities*, *strategic growth areas*, and *employment areas* can extend beyond 30 years (policy. 2.1.3). Under the PPS 2020, the time horizon was for "up to 25 years." However, where a zoning order has been made by the Minister of Municipal Affairs and Housing, the resulting development must be in addition to projected needs over the planning horizon established in the official plan and this additional growth must be incorporated into the municipality's next official plan and related infrastructure plans (policy 2.1.3).

Finally, the PPS 2024 expressly encourages planning authorities to support *complete communities* by accommodating an appropriate range and mix of land uses, employment, *public service facilities* and other institutional uses on lands for employment that are outside of *employment areas*, *housing options* (including a broader range of options for residential intensification), transportation, and more (policy 2.1.6).

What has changed?

- Removes the Growth Plan concept of specific population and employment forecasts to 2051. In its *Proposed Approach to Implementation of the proposed Provincial Planning Statement*, released with an earlier draft of the PPS 2024, on the <u>Environmental Registry of Ontario (ERO) website</u>, the Ontario government notes that many of these plans have already been implemented throughout the province and that municipalities would continue to use the 2051 targets at a minimum. After this time, municipalities will need to update these forecasts on their own.
- Departs from the PPS 2020, which provided that municipalities make sufficient land available to meet projected needs for "up to 25 years" (versus the now 20-30 year horizon).
- Expands the definition of *housing options* in the PPS 2020 to include a broader range of options for residential intensification. While the PPS 2024 still includes traditional housing types such as single-detached, semi-detached, multiplexes, etc., it also includes laneway housing, garden suites, rooming houses, additional needs housing, and supportive, community, multi-generational, and transitional housing.

c. Housing (policy 2.2)

PPS 2024: The PPS 2024 retains the requirement that planning authorities provide for an appropriate range and mix of *housing options* and densities to meet the needs of current and future residents by:

- Establishing minimum targets for *affordable* housing and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options, including for affordable housing (policy 2.2.1(a));
- Permitting and facilitating (i) all housing options required to meet social, health, economic and well-being requirements of current and future residents; and (ii) all types of residential *intensification*, including through the *redevelopment* of underutilized sites, such as shopping malls and plazas, and any *redevelopment* that results in net new residential units (policy 2.2.1(b));
- Promoting densities for new housing that efficiently use land, resources, *infrastructure*, and *public service facilities*, and support the use of *active transportation* (policy 2.2.1(c)); and
- Requiring *transit-supportive* development and prioritizing *intensification* (policy 2.2.1(d)).

What has changed?

- Expands the PPS 2020 requirement regarding establishment of minimum targets to require coordination of land use planning and planning for housing with Service Managers to address the range of housing options.
- Clarifies the PPS 2020 requirement that residential intensification includes development and redevelopment of underutilized commercial and institutional sites, such as shopping malls and plazas.

STRATEGIC GROWTH AREAS

d. Strategic growth areas (policy 2.4)

PPS 2024: The PPS 2024 incorporates the concept of *strategic growth areas* from the Growth Plan, adding new criteria regarding the planning of these areas and general policies outlining what planning authorities should do in respect of them.

Specifically, the PPS 2024 encourages planning authorities to identify *strategic growth areas* and make them the focus of growth and development (policy 2.4.1.1), with a view to accommodate significant population and employment growth; support the transit network; serve as focal areas for education, commercial, recreational, and cultural uses; and support *affordable*, accessible and equitable housing (policy 2.4.1.2). In addition, within *strategic growth areas*, planning authorities are encouraged to:

- Prioritize infrastructure and public service facilities planning and investment;
- Identify the appropriate type and scale of development;
- Permit *development* and *intensification* to achieve *complete communities* and a *compact built form*;
- Consider a student housing strategy; and
- Support the *redevelopment* of commercial retail lands (e.g., underutilized shopping malls and plazas) for mixed-use residential (policy 2.4.1.3).

Importantly, the PPS 2024 makes clear that *strategic growth areas* and *designated growth areas* are "not land use designations and their delineation does not confer any new or alter existing land use designations" (policy 6.1.11), meaning that any development in these areas remains subject to relevant provincial and municipal land use planning policies and approval processes.

What has changed?

The concept of *strategic growth areas* that was entirely absent from PPS 2020 was imported from the Growth Plan. This has resulted in one comprehensive policy statement.

e. Major transit station areas (policy 2.4.2)

PPS 2024: The PPS 2024 incorporates the Growth Plan concept of *major transit station areas* (**MTSAs**) and related policies. MTSAs should be planned and designed to be transit-supportive and achieve multimodal access to stations and major trip generators, where feasible, by connecting to local and regional transit services, providing infrastructure to accommodate a range of mobility needs and support active transportation, and providing pick-up/drop-off areas (policy 2.4.2.6).

With respect to MTSAs, planning authorities:

- Must delineate the boundaries of MTSAs on *higher order transit corridors* through an official plan or official plan amendment, noting that the defined area must be within an approximately 500 to 800-metre radius of a transit station on a *higher order transit corridor* (about a 10-minute walk), maximizing the number of potential transit users within walking distance thereof (policy 2.4.2.1);
- Must plan for minimum density targets within MTSAs, namely: 200 residents and jobs combined per hectare served by subways; 160 residents and jobs combined per hectare served by light rail or bus rapid transit; and 150 residents and jobs combined per hectare served by commuter or regional rail (policy 2.4.2.2) (the PPS 2024 provides a mechanism to seek exemption from these targets (policy 2.4.2.4), and further provides that authorities may also identify and set targets for MTSAs that are not within *higher order transit corridors* (policy 2.4.2.5)); and
- Should promote development and intensification within MTSAs where appropriate, including by planning for land uses and built form that supports achieving minimum density targets; redeveloping surface parking lots to be *transit-supportive* and support *complete communities* (policy 2.4.2.3); and by planning for *intensification* on land adjacent to existing or planned *frequent transit corridors* (policy 2.4.3.1).

What has changed?

The concept of MTSAs, which was absent from the PPS 2020, was imported from the Growth Plan.

RURAL AREAS AND LANDS

f. Rural areas and rural lands (policies 2.5-2.7)

PPS 2024: The PPS 2024 largely tracks the policies from the PPS 2020 regarding *rural areas* and *rural lands*, but introduces subtle changes.

With respect to rural areas in municipalities, the PPS 2024:

• Encourages authorities to support healthy, integrated, and viable rural communities by, for example, building upon rural character, promoting regeneration, and accommodating an appropriate range of and mix of housing

and providing opportunities for economic activities in *prime agricultural areas* (policy 2.5.1);

- Provides that *rural settlement areas* shall be the focus of growth and development in *rural areas*, and authorities shall promote their vitality and regeneration (policy 2.5.2); and
- Requires authorities to consider locally appropriate rural characteristics, the scale of development, and appropriate service levels when directing development in *rural settlement areas*, though growth and development may be directed to *rural lands* where, for example, a municipality does not have a *settlement area* (policy 2.5.3).

With respect to *rural lands* in municipalities, the PPS 2024:

- Provides that permitted uses on such lands are the management and use of resources; resource-based recreational uses; residential development, where site conditions are suitable for appropriate *sewage and water services*; *agricultural* and similar uses; home occupations and home industries; cemeteries; and other rural land uses (policy 2.6.1);
- Provides that development should be promoted where it can be sustained by rural service levels (policy 2.6.2) and, further, that development must be appropriate to planned or available *infrastructure*, and must avoid the need for uneconomic expansion of the *infrastructure* (policy 2.6.3);
- Encourages support for a diversified rural economy by protecting agricultural and resource-related uses and directing non-related uses to areas that will minimize constraint on them (policy 2.6.4); and
- Requires new land uses to comply with the *minimum distance separation formulae* (policy 2.6.5).

With respect to *rural lands* in a territory without municipal organization, the PPS 2024 provides that:

- Development must relate to sustainable management or use of resources and resource-based recreational uses and must be appropriate to the planned or available *infrastructure* (and avoid the need for unjustified and/or uneconomical expansion of same); new permanent townsites in territory without municipal organization are not permitted (policies 2.7.1 -2.7.1.3); and
- Development related to sustainable management or use of resources and resource-based recreational uses is only permitted in areas adjacent to and surrounding municipalities, unless it falls under one of the specified exceptions set out under the PPS 2024 (policy 2.7.4).

What has changed?

• Removes language from the PPS 2020 that encouraged the conservation and redevelopment of existing rural housing stock on *rural lands* (otherwise replicates the PPS 2020's list of methods to support healthy, integrated, and viable rural communities).

EMPLOYMENT

g. Employment and employment lands (policy 2.8)

PPS 2024: The PPS 2024 continues to promote economic development and competitiveness, with some modified requirements. Specifically, with respect to supporting a modern economy, the PPS 2024:

- Requires that planning authorities promote economic development and competitiveness by providing an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; providing opportunities for a diversified economic base; identifying strategic sites for investment; encouraging intensification of employment uses; and addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses* (policy 2.8.1.1);
- Provides that industrial, manufacturing, and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without adverse effects are encouraged in *strategic growth areas* and other mixed-use areas outside of *employment areas* (policy 2.8.1.2);
- Adds special protections for employment lands, which build upon land use compatibility provisions (see section i., below, for key changes to these provisions), stating that development on lands within 300 metres of *employment areas* shall avoid or (where that is not possible) minimize and mitigate potential impacts on the long-term economic viability of uses within *employment areas* (policy 2.8.1.3); and
- Provides that major office and institutional development should be directed to MTSAs or other *strategic growth areas* with *frequent transit* service (policy 2.8.1.4).

The PPS 2024 also requires planning authorities to:

- Protect and preserve *employment areas* and ensure that the necessary *infrastructure* is provided to support their current and projected needs (policy 2.8.2.1);
- Protect *employment areas* near *major goods movement facilities and corridors* (policy 2.2.2.2);
- Designate, protect, and plan for *employment areas* in *settlement areas* by
 planning in particular for uses that require those locations (e.g., manufacturing,
 research and development, etc.), including appropriate transition to adjacent nonemployment areas, and by prohibiting the following uses: residential, commercial,
 public service facilities, other institutional uses, retail and office uses not
 associated with the primary employment use, other *sensitive land uses* not
 ancillary to the uses permitted in the employment area (policy 2.8.2.3));
- Assess and update *employment areas* in official plans to ensure the designation is appropriate to the planned function of those areas (policy 2.8.2.4); and

• Maintain land use compatibility between *sensitive land uses* and *employment areas* (policy 2.8.2.4).

The PPS 2024 also permits *employment area* conversions to take place at any time, provided that certain criteria are met, rather than only at the time of a municipal comprehensive review, as provided under the PPS 2020 and the Growth Plan. In particular, the PPS 2024 provides that planning authorities may only remove lands from *employment areas* where it has been demonstrated that:

- There is a need to remove, and the land is not required for *employment area* uses over the long term;
- The proposed use would not negatively impact the overall viability of the *employment area* by avoiding, or minimizing and mitigating, potential impacts to the employment area and maintaining access to *major goods movement facilities and corridors*;
- Existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
- The municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan (policy 2.8.2.5).

What has changed?

- Includes a new definition of *employment area* which does not include institutional or commercial uses (including retail and office uses), other than those that are associated with manufacturing uses and warehouse uses. Amendments to the *Planning Act* under Bill 97 introduced a corresponding definition for "area of employment," which came into force on October 20, 2024.
- Removes the limitations in the PPS 2020 and the Growth Plan which restricts the conversion of lands within *employment areas* to the time of a municipal comprehensive review, thereby permitting conversion at any time under the PPS 2024.
- Replaces some methods by which planning authorities must promote economic development and competition with others.
- Modifies the PPS 2020's land use compatibility provisions, and extends their application to small-scale warehousing, in addition to industrial and manufacturing uses.

OTHER NOTEWORTHY AMENDMENTS

In addition to the key policy changes noted above, we have also highlighted some additional provisions on *infrastructure*, resources, implementation, and coordination under the PP2 2024, that may be of interest. Please note that the summaries below are not intended to be as fulsome as the key policy changes set out above, and instead provide only a cursory overview.

h. Airports, rail facilities, and marine facilities (policy 3.4)

Similar to the PPS 2020, the PPS 2024 requires that planning for land uses in the vicinity of *airports, rail facilities*, and *marine facilities* be undertaken so that their long-term operation and economic role is protected, and so that these facilities and *sensitive land uses* are appropriately designed, buffered, or separated from one another (policy 3.4.1). *Airports*, in particular, are protected from incompatible land uses and development by, among other things, prohibiting land uses which may cause a potential aviation safety hazard (policy 3.4.2), whereas the PPS 2020 only discouraged such uses.

i. Land use compatibility (policy 3.5)

In addition to land use compatibility considerations specific to employment lands, the general policies regarding land use compatibility have been updated.

The PPS 2024 still requires that *major facilities* and *sensitive land uses* be planned and developed to avoid or (where that is not possible) mitigate and minimize any potential adverse effects or any risk to public health and safety, and ensure long-term operational and economic viability of the *major facilities* (policy 3.5.1). Where avoidance is not possible, the PPS 2024 provides that authorities must ensure that the planning and development of proposed adjacent *sensitive land uses* are only permitted if (i) potential adverse effects to the proposed sensitive land use are minimized and mitigated, and (ii) potential impacts to the industrial, manufacturing, and other major facilities are appropriately minimized and mitigated (policy 3.5.2). This removes two criteria required under the PPS 2020, namely that there is an identified need for the proposed use, and that there are no reasonable alternative locations.

Note that the provision now applies to *major facilities* (a defined term that includes transportation infrastructure, sewage treatment facilities, etc.) in addition to industrial and manufacturing uses.

j. Sewage, water, and stormwater (policy 3.6)

The PPS 2024 generally updates the PPS 2020's policies regarding sewage, water, and stormwater, and introduces several changes.

The PPS 2024 provides, among other things, planning requirements for *sewage and water* (policy 3.6.1), establishes a hierarchy of preferred forms of servicing (policies 3.6.2-3.6.4), and provides that partial services can only be permitted in certain circumstances (policy 3.6.5-3.6.6).

Notable changes to this section include that the PPS 2024:

- Removes a standalone requirement that planning for *sewage and water* systems ensure that they are provided in a manner that prepares for the impacts of a changing climate; and
- Requires that planning for *sewage and water* services accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of

existing private communal sewage and water services, where the PPS 2020 included this only where municipal services were not available or feasible.

k. Water (policy 4.2)

The PPS 2024 requires authorities to protect, improve, or restore the *quality and quantity of water* by a variety of means (removing some means found in the PPS 2020) (policy 4.2.1); adopts policies, similar to those in the Growth Plan, encouraging municipalities – and requiring *large and fast-growing municipalities* – to undertake *watershed planning* to inform water-related planning decisions (policy 4.2.3); and indicates that upper tier municipalities shall undertake watershed planning together with lower tier municipalities (policy 4.2.4). In addition, PPS 2024 "encourages" municipalities to collaborate with their relevant conservation authority (policy 4.2.5), a slightly softer requirement than under the Growth Plan which referenced "partnering" with conservation authorities.

Watershed planning is a defined term in the PPS 2024, and involves establishing goals to protect, enhance, or restore water resources within a watershed, with a view to cross-jurisdictional impacts and the impacts of climate change. This concept was entirely absent from the PPS 2020, but was found in the Growth Plan.

I. Agriculture (policy 4.3)

The PPS 2024 requires planning authorities to use an *agricultural system* approach (a defined term) to maintain and enhance a geographically continuous agricultural land base and support the prosperity and capacity of the *agri-food network* (policy 4.3.1.1). The PPS 2020 merely encouraged authorities to use such an approach.

The PPS 2024 also enumerates permitted uses in *prime agricultural areas*, which include a principal dwelling associated with an agricultural operation, and – in a notable departure from the PPS 2020 – up to two additional residential units where:

- At least one of the additional units is located within or attached to the principal dwelling; and
- Any additional residential units:
 - Comply with the *minimum distance separation formulae*;
 - o Are compatible with surrounding agricultural operations;
 - Have appropriate sewage and water services;
 - Address any public health and safety concerns;
 - Are of limited scale and are located within or near or are attached to the principal dwelling or farm building cluster; and
 - Minimize land taken out of agricultural production (policies 4.3.2.4-4.3.2.6).

The PPS 2024 provides that impacts on the *agricultural system* from new or expanding non-agricultural uses are to be avoided, or (where that's not possible) minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis (policy 4.3.5.2). Contrast this with the PPS 2020, which states that such impacts

should simply be mitigated.

m. Implementation and interpretation (policies 6.1, 8)

The PPS 2024 largely replicates the PPS 2020's general policies for implementation and interpretation, but makes some changes. For example, it implements the Growth Plan policy encouraging planning authorities to go beyond applicable density targets, where appropriate (policy 6.1.12). In addition, the PPS 2024 proposes that minimum density targets are to be reviewed at the time of each official plan update, revising the process set out in the Growth Plan that ties density target implementation to a municipal comprehensive review process (policy 6.1.13).

The PPS 2024 also requires planning authorities to make decisions consistent with the applicable provincial planning statement, even where they must decide on a planning matter before the official plan or other planning instruments have been updated to be consistent with the planning statement (policy 6.1.7). While it was always the case that planning authorities were required to keep their official plans up-to-date with the provincial policy statement, the revised policy clarifies that decisions should be consistent with the PPS 2024, even where an update has not yet occurred or is pending.

The PPS 2024 further provides that the province may assess progress on implementation by identifying key indicators to measure the outcomes, relevance, and efficiency of its policies in consultation with stakeholders; collecting and analyzing data under each indicator; and considering the resulting assessment in each review of the PPS 2024 (policy 6.1.9).

n. Coordination (policy 6.2)

The PPS 2024 seeks to present a reorganized and more fortified coordination framework. Generally speaking, it has been expanded to include collaboration with several entities on specified topics, including school boards (policy 6.2.4), publicly-assisted post-secondary institutions (policy 6.2.5), and Indigenous communities (policy 6.2.2).

Guidance on coordination with Indigenous communities, in particular, has been expanded. Planning authorities are required to engage with Indigenous communities early and coordinate on planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making, and support the identification of potential impacts of decisions on Aboriginal or treaty rights. Please note that the information provided in this update is current as of October 23, 2024, and is intended as a reference tool and summary of the PPS 2024 and relevant legislation. It is not intended to be exhaustive and does not constitute legal or professional advice or a legal opinion of any kind.

As the land use planning landscape in Ontario is constantly evolving, Dentons continues to monitor developments to key legislative and policy changes. Should you have any questions about any recent changes to housing and land use planning in Ontario and how they may impact your business, please contact <u>Katarzyna (Kat) Sliwa</u>, <u>Roberto Aburto</u>, <u>Isaiah</u> <u>Banach</u>, <u>Max Reedijk</u>, <u>Karen Sadler</u>, <u>Conor McCarthy</u>, <u>Jessica Jakubowski</u>, <u>Michael</u> <u>James</u>, <u>Diana Doracin</u> or any member of the <u>Dentons Municipal</u>, <u>Land Use Planning and</u> <u>Development Team</u>.