

Staff Report

Meeting Date: 23 May 2023

To: Mayor and Members of Council

From: Cristal Laanstra, Manager of Planning

Report No./Subject: PLN-2023-039 re: Proposed Provincial Planning Statement 2023 - Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023

Staff Recommendation: Receive for Information Action Required

Be it resolved that Staff Report PLN-2023-039, Cristal Laanstra, Manager of Planning re: Proposed Planning Policy Statement 2023 - Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023 be received for information.

And that the Staff Report PLN-2023-039, along with the draft letter dated May 23, 2023, to The Honourable Steve Clark, be forwarded to the Environmental Registry of Ontario (ERO) by June 5, 2023, under the Mayor's signature.

Background:

The Provincial Government announced significant legislative, regulatory, and policy changes on April 6, 2023, by introducing Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023, as part of the Housing Supply Action Plan. Alongside Bill 97, the government also released the proposed Provincial Planning Statement (PPS), 2023. If confirmed, this third round of policy change would continue the government's redirection of land development policy.

It is critical to understand the impacts of these proposed changes on land use, land supply and development in Ontario and to provide helpful recommendations through the Environmental Registry of Ontario (ERO) to the Province on Bill 97.

Analysis/Options:

The proposed PPS 2023 integrates the Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) into a singular, province-wide policy document. The proposed PPS 2023 is intended to simplify existing policies and refocus on housing outcomes. The Province has been promoting the new document as an answer to the age-old complaint of municipalities that "one size does not fit all" and advertises the document provides for a flexible approach for municipalities to respond to individual market needs.

While the proposed changes might promote streamlining and refocusing existing policies to achieve the province's housing mandate, it also presents further challenges to the municipalities' authority in establishing Official Plan policies to further protect urban sprawl and protect prime agriculture land from being removed from the production system. While there may be elements of flexibility added through the removal of clunky provincial policy that proved difficult to apply, the proposed PPS 2023 includes new policy that fully restricts a municipality's ability to deviate from very specific planning policies to find a "size that fits better" for Trent Hills.

The following are some of highlights related to the proposed PPS 2023:

Growth targets

The province will no longer set required growth allocation for municipalities to plan specific population and employment targets for a prospect year. It is, however, expected that municipalities will use the 2051 targets at a minimum and future growth forecast to be delivered by the municipalities for a minimum of 25 years' worth of allocations available in terms of land, infrastructure, employment areas and strategic growth areas.

Introduction of strategic growth areas concept

Focus growth areas to be identified in official plans, with a list identifying large and fast-growing municipalities.

Employment areas

Proposed changes to the "Employment Area" definition within the Planning Act to exclude "commercial" and all other that can be accomplished within "mixed-use" areas, with fewer restrictions on employment conversion, and the elimination of Provincially Significant Employment Zones.

Agricultural

Additional dwellings are to be permitted on Agricultural lands along with the creation of three new residential lots. The proposal eliminates a Provincially Mapped System and protection of specialty crop areas.

Rural

Removes focus on existing housing stock and includes policy for multi-lot development outside settlement area boundaries.

Based on the review of proposed changes, staff have the following comments to provide:

Municipal Planning Autonomy

The majority of changes within the proposed PPS 2023 may support Municipalities reach the provincial goal of 1.5 million houses by 2031, provided municipal power is preserved to determine Official Plan policies that work best for each individual municipality.

Previous policy statements allowed Municipalities to exceed protections and requirements, where it made sense and was locally appropriate. The proposed PPS 2023 removes this and goes a step further in explicitly stating a municipality shall not contain restrictive policies in their local documents.

Staff would generally support most changes outlined, should municipal planning autonomy be restored within the document. A municipality should have a choice which locations of our municipality are best suited for additional housing, allowing more fiscally responsible and environmentally sustainable solutions that work locally. A locally focused approach would permit municipalities to meet local variation and unique community needs.

Staff recommend the policies specifically removing municipal variation in local Official Plans and Zoning by-laws be removed from the proposed changes (Section 2.8.1 Policy 4 and Section 4.3.3 Policy 2).

Rural and Agricultural Residential Development

Decades of evidence, research, and provincial policy has supported the clear planning principles that fiscally responsible and environmentally sustainable development best occurs through Settlement Area development on municipal infrastructure and services. This approach also supports the protection of rural and agricultural lands for viability within the agricultural system.

The proposed PPS 2023 permits up to three residential lots on an existing agricultural parcel as well as multi-lot residential development on rural lands. Policies like this have led to estate lots that are both expensive and permanently remove land from the commercial agriculture system. Additionally, the loss of farmland through this new policy will lead to unsustainable sprawl without solving the housing affordability crisis. Moreover, it will constrain the municipalities' authority in protecting agricultural lands that are crucial to food production and rural employment across Ontario.

It is worth noting that government-initiated review occurred in 2022 on approaches for leveraging the housing supportive policies to remove barriers for the creation of housing. Through the review, the government posted an overview of issues raised on the ERO broken into six themes (ERO #019-6177). With respect to natural resources, the Agricultural sector was quoted as, "supportive of maintaining current agricultural policies".

The Ontario Federation of Agriculture (OFA) was a respondent, along with the National Farmers Union, the Ontario Farmland Trust, and the Beef Farmers of Ontario (not an exhaustive compilation of agencies request policies remain), among many land use planners from the many municipalities across the Province. All submissions echoed the request for policies on rural and agricultural lands to protect farmland and continue directing the majority of housing development to the Settlement Areas.

In reviewing the purpose for the inclusion of policy changes within the Rural and Agricultural lands, the ERO posting cites 'an appropriate housing supply' as the rationale for the change. In addition to the rationale provided above, staff do not feel additional housing within sensitive land use designations, beyond what the current provincial policy allows, can be considered an appropriate housing supply. The allowance of additional housing creates land use conflicts and sterilizes agriculturally viable lands from farming, due to new separation distances introduced.

Staff do not support the changes to the Rural and Agricultural lands. Staff recommend the policy changes to the Rural Lands (Section 2.5 and 2.6) and Agriculture (Section 4.3) be removed and the current PPS 2020 policies be maintained.

Financial Impact:

It is premature to predict financial impacts with respect to propose PPS 2023 changes. Should the changes be approved, staff anticipate an influx of applications and requests that may require additional departmental resources.

Legislative/Risk Considerations:

Not Applicable

Attachments:

[PLN-2023-039, Attachment \(Draft ERO Comment letter - PPS 2023\)](#)

Strategic Plan:

- Housing and Accommodation

Reviewed By:

Jim Peters, Director of Planning & Development
Lynn Phillips, Chief Administrative Officer



Come for a visit. Stay for a lifestyle.

May 23, 2023

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON
M5G 2E5

**RE: Proposed Provincial Planning Statement, 2023
Bill 97, Helping Homebuyers, Protecting Tenants Act, 2023**

Whereas the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, is welcomed.

Whereas the Municipality of Trent Hills is a predominantly rural municipality with a large farming population, supported by three urban centres and subsequent rural hamlets.

Whereas language within the proposed PPS with respect to Employment Policies (Section 2.8.1 Policy 4.) and Agricultural Policies (Section 4.3.3. Policy 2.) would dramatically remove municipal power and render aspects of municipal Official Plans inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs;

Whereas the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands (Section 4.3);

Whereas the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas (Sections 2.5, 2.6, and 4.3);

So be it that the Council of the Municipality of Trent Hills urges the province to cancel proposed changes to the PPS with respect to; a) removal of municipal planning autonomy (sections 2.8.1 Policy 4 and Section 4.3.3 Policy 2) and b) rural and agricultural lands (sections 2.5, 2.6, and 4.3).

Sincerely,

Mayor Bob Crate
The Municipality of Trent Hills

Municipality of Trent Hills
P.O. Box 1030, 66 Front Street South, Campbellford, ON K0L 1L0
t: 705.653.1900 f: 705.653.5203

trenthills.ca