

Table 3: Niagara Region Staff Responses to the Proposed Approach to Implementation Document

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<p>Effective Date and Transition</p> <p>The effective date would be the date specified through an order in council approved by the Lieutenant Governor in Council pursuant to section 3 of the <i>Planning Act</i>. To provide municipalities and other planning authorities an opportunity to understand and adapt to the policy changes, the Ministry is proposing to release the final policies for a short period of time before they take effect (targeting fall 2023).</p> <p>Any decision on a planning matter made on or after the effective date of the new policy document would be subject to the new policies. The only exception would be if a transition regulation were made under a new authority proposed in the <i>Helping Homebuyers, Protecting Tenants Act, 2023</i> (if passed). The government is seeking feedback on any specific transition issues anticipated to be associated with these proposed new policies that could be mitigated through the use of this proposed new regulation-making authority (including any potential issues associated with the repeal of the existing Growth Plan transition regulation O. Reg. 311/06).</p>	<p>The timing of the release of the proposed PPS is problematic and does not consider the level-of-effort required by single, upper, and lower-tier municipalities to implement provincial plans and update municipal planning documents.</p> <p>For example – the regional official plans for many upper-tier municipalities were recently approved by the Province. The lower-tier municipalities in those regions have already initiated their work programs to meet their prescribed 1-year timeline for local conformance.</p> <p>All at the same time – municipalities must continue to review and process development applications. Local official plans, recently updated regional plans and the new PPS would need to be considered – all with a range of conflicting policies that will need to be resolved.</p>
<p>Timing for Official Plan Updates</p> <p>The <i>Planning Act</i> requires official plans to be revised every five years (or every ten years after a new official plan). The intention is that official plans would be updated as necessary</p>	<p>It should be recognized that after the effective date, and until municipal official plans (and zoning by-laws) can be updated, there will be a range of inconsistent and conflicting policies for land-use planning in Ontario. This</p>

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<p>to implement these new policies at the time of their ordinary review cycle.</p>	<p>uncertainty will impact the ability for development approvals to be streamlined.</p>
<p>Official Plan Updates related to Change to the Definition of “Area of Employment”</p> <p>The <i>Helping Homebuyers, Protecting Tenants Act, 2023</i> will, if passed, change the definition in the <i>Planning Act</i> of “area of employment” to scope them to only those uses that cannot locate in mixed-use areas and require protection against conversion (e.g., heavy industry, manufacturing, large-scale warehousing, etc.). This change is proposed to take effect on proclamation, to facilitate alignment with the new policy document.</p> <p>As many municipalities’ existing employment areas currently allow a range of uses, including a mix of office, retail, industrial, warehousing, and other uses, time-sensitive official plan updates will be needed to align with the new definition. Once the proposed legislative and policy changes (if approved) take effect, areas that do not meet the definition would no longer be subject to policy requirements for “conversions” to non-employment uses.</p> <p>To maintain the integrity of employment areas that are intended to remain protected over the long-term, municipalities should update their official plans to explicitly authorize the site-specific permission of any existing uses that do not align with the new definition.</p>	<p>Niagara Region staff have significant concerns and do not support the proposed changes to employment land and area planning. Detailed comments on the proposed changes are provided in Table 2.</p>

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<p>Continued Implementation of 2051 Forecasts (at minimum)</p> <p>A Place to Grow currently requires municipalities in the Greater Golden Horseshoe to plan for specific population and employment forecasts to 2051. These have been implemented in many, but not all, municipal official plans throughout the region.</p> <p>Where an upper- or single-tier municipality’s official plan is still in progress, it is expected that the municipality would continue to use the 2051 forecasts provided by the province (at a minimum) or a higher forecast as determined by the municipality. Lower-tier municipalities would be expected to meet or exceed the growth forecasts allocated to them by the upper-tier.</p> <p>As time passes and it becomes necessary to update the forecasts and extend their horizon beyond 2051, it is expected that municipalities in the Greater Golden Horseshoe would move towards doing their own forecasting of population and employment growth (as is the approach for all other municipalities in the province).</p>	<p>Requiring each individual local municipality to do their own forecasting of population and employment growth may result in inconsistent forecasts and/or methodologies. This is likely to impact the Region’s ability to plan for investments in infrastructure and the coordination of Regional public services between local municipalities. Further detailed comments are provided in Table 1.</p>
<p>Timing for Changes to Upper-tier Planning Responsibilities</p> <p>Bill 23, the More Homes Built Faster Act, 2022 made changes to the Planning Act that, upon proclamation, will remove statutory approval authorities under the Planning Act from 7 upper-tier municipalities. The timing for proclamation of these</p>	<p>Niagara Region can be a valuable partner in meeting the Province’s housing supply goals, especially in regards to growth management across the regional market area.</p> <p>Niagara Region staff recommend that given the extent of the proposed PPS changes, the Province ensure that an appropriate amount of time be given prior to proclamation.</p>

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<p>changes is a government decision. It is anticipated that the changes would not take effect until winter 2024 at the earliest.</p>	<p>This will allow Regional planning departments to work together with local municipalities on conformity with provincial planning documents to assist with transition to the new policy regime.</p>
<p>Go-Forward Approach to Provincially Significant Employment Zones</p> <p>In 2019, the Minister of Municipal Affairs and Housing, in consultation with municipalities in the Greater Golden Horseshoe, established 31 Provincially Significant Employment Zones (PSEZs), pursuant to A Place to Grow: Growth Plan for the Greater Golden Horseshoe for the purpose of long-term planning for job creation and economic development.</p> <p>Notwithstanding the proposal to revoke A Place to Grow: Growth Plan for the Greater Golden Horseshoe pursuant to section 7(7) of the <i>Places to Grow Act, 2005</i>, including PSEZs, the government is seeking feedback on the need to identify select PSEZs or portions of PSEZs for the sole purpose of protecting lands exclusively for employment uses through an alternative approach (e.g., section 47 of the <i>Planning Act</i>).</p> <p>Protections would be consistent with the proposed definition of areas of employment under the <i>Planning Act</i> and would ensure the highest priority locations, such as sites for heavy industry and other uses that cannot be located near sensitive uses (e.g., the Ontario Food Terminal: PSEZ 30, Sanofi</p>	<p>Niagara Region staff have no comment as there are no PSEZs in the Region.</p>

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<p>Canada's Toronto biopharmaceutical facility: PSEZ 9, Stelco's Hamilton Works: PSEZ 25 and Lake Erie Works: PSEZ 28) would receive elevated levels of protection from conversion to non-employment uses.</p>	
<p>Approach to maintain existing Greenbelt policies</p> <p>Should the proposed Provincial Planning Statement come into effect, there is the potential for the revocation of A Place to Grow and the changes made to the Provincial Policy Statement policies to affect the implementation of the policies in the Greenbelt Plan. To address this issue, an amendment is being proposed to the Greenbelt Plan that would indicate that the previous policies in A Place to Grow and the Provincial Policy Statement would continue to apply in those cases where the Greenbelt Plan refers to them. This would ensure that there would be no change to how the Greenbelt Plan policies are implemented if the proposed Provincial Planning Statement comes into effect.</p>	<p>Niagara Region staff are supportive of this approach to ensure that the policies of the Greenbelt Plan are not changed and can continue to be implemented as intended.</p>