

May 31, 2023

Honourable Steve Clark
Minister of Municipal Affairs and Housing
17th Floor,
777 Bay Street
Toronto, ON M7A 2J3

Dear Minister Clark:

**RE: Proposed Provincial Planning Statement, 2023
ERO Notice 019-6813
Township of Wellesley Comments**

Please accept this letter as comments from the Township of Wellesley on the proposed Provincial Planning Statement, 2023 (PPS 2023).

In summary, the Township has significant concerns with the proposed PPS 2023 as outlined in the attached Council resolution and staff report. For your information, Council passed the following resolution at its May 30th meeting:

“That the Council of the Township of Wellesley pass the following resolution related to the new proposed Provincial Planning Statement (PPS 2023):

WHEREAS the Province of Ontario has proposed a new Provincial Planning Statement for review and comment on the Environmental Registry until June 5, 2023,

AND WHEREAS the Township of Wellesley is largely a rural municipality that currently has strong policies to protect and preserve agricultural lands,

AND WHEREAS the proposed new PPS 2023 will have significant impacts on the ability of the Township of Wellesley to manage growth, preserve farmland and build complete communities,

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Wellesley hereby enacts as follows:

That the Township of Wellesley does not support policies that weaken protections for farmland and does not support increased residential lot creation in prime agricultural areas; and further,

That proposed PPS policy 4.3.3.1(a) permitting the creation of up to three new residential lots from an existing farm property located in a prime agricultural area be deleted; and further,

That proposed PPS policies 2.8.1.4 and 4.3.3.2 prohibiting official plans and zoning bylaws from being more restrictive than PPS policies be deleted; and further,

That proposed PPS policies 2.6.1(c) be deleted; and further,

That the Township of Wellesley does not support removing mandatory intensification and density targets and other policies supporting compact development and that such policy changes will encourage forms of residential development that require more farmland to be lost; and further,

That allowing new settlement areas and settlement area expansions without appropriate justification and consideration of impacts will detrimentally impact the ability of municipalities to appropriately plan for services and growth.”

Thank you for the opportunity to comment on the proposed PPS 2023.

Sincerely,



Tim Van Hinte, MCIP, RPP
Director of Planning

cc: Mike Harris, MPP Kitchener-Conestoga
Karen Redman, Regional Chair, Region of Waterloo
Rod Regier, Commissioner of Planning, Development and Legislative Services

May 31, 2023

Provincial Land Use Plans Branch
13th Flr, 777 Bay St
Toronto, ON
M7A 2J3

Email: growthplanning@ontario.ca

Regarding: Proposed Provincial Planning Statement 2023 - Resolution No. 78

Please be advised that the following resolution was passed at the Council Meeting of the Wellesley Township Municipal Council held on May 30, 2023:

“That the Council of the Township of Wellesley pass the following resolution related to the new proposed Provincial Planning Statement (PPS 2023):

WHEREAS the Province of Ontario has proposed a new Provincial Planning Statement for review and comment on the Environmental Registry until June 5, 2023,

AND WHEREAS the Township of Wellesley is largely a rural municipality that currently has strong policies to protect and preserve agricultural lands,

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That proposed PPS policies 2.8.1.4 and 4.3.3.2 prohibiting official plans and zoning by-laws from being more restrictive than PPS policies be deleted; and further,

That proposed PPS policies 2.6.1(c) be deleted; and further,

That the Township of Wellesley does not support removing mandatory intensification and density targets and other policies supporting compact development and that such policy changes will encourage forms of residential development that require more farmland to be lost; and further,

That allowing new settlement areas and settlement area expansions without appropriate justification and consideration of impacts will detrimentally impact the ability of municipalities to appropriately plan for services and growth.”

Carried

If you have any questions or concerns, please feel free to contact me at (519) 699-3946 at your earliest convenience.

Yours truly,

A handwritten signature in black ink that reads "G Kosch".

Grace Kosch, Clerk
Township of Wellesley
P: 519-699-3946 F: 519-699-4540
gkosch@wellesley.ca

cc: Tim Van Hinte, Director of Planning, Township of Wellesley



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PLANNING & DEVELOPMENT REPORT

To: Council

Meeting Date: May 30, 2023

Prepared by: Tim Van Hinte
Director of Planning

Date Prepared: May 23, 2023

Subject: Proposed Provincial Planning Statement 2023

Recommendation:

That the Council of the Township of Wellesley pass the following resolution related to the new proposed Provincial Planning Statement (PPS 2023):

WHEREAS the Province of Ontario has proposed a new Provincial Planning Statement for review and comment on the Environmental Registry until June 5, 2023,

AND WHEREAS the Township of Wellesley is largely a rural municipality that currently has strong policies to protect and preserve agricultural lands,

AND WHEREAS the proposed new PPS 2023 will have significant impacts on the ability of the Township of Wellesley to manage growth, preserve farmland and build complete communities,

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Wellesley hereby enacts as follows:

That the Township of Wellesley does not support policies that weaken protections for farmland and does not support increased residential lot creation in prime agricultural areas; and further,

That proposed PPS policy 4.3.3.1(a) permitting the creation of up to three new residential lots from an existing farm property located in a prime agricultural area be deleted; and further,

That proposed PPS policies 2.8.1.4 and 4.3.3.2 prohibiting official plans and zoning by-laws from being more restrictive than PPS policies be deleted; and further,

That the Township of Wellesley does not support removing mandatory intensification and density targets and other policies supporting compact development and that such policy

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changes will encourage forms of residential development that require more farmland to be lost; and further,

That allowing new settlement areas and settlement area expansions without appropriate justification and consideration of impacts will detrimentally impact the ability of municipalities to appropriately plan for services and growth.

Summary:

The Province is consulting on a proposed new Provincial Planning Statement (PPS 2023), which would significantly revise Ontario's current land use planning policy framework. This report provides a summary of the key proposed policy changes and their potential implications for the Township.

Report:

1. Summary of Proposed Changes and Consultation Process

On April 6, 2023, the Province released its proposed Provincial Planning Statement (PPS 2023) for review. The Province is consulting on proposed policies for an integrated province-wide land use planning policy document. The Province currently has two primary planning policy documents, the Provincial Policy Statement (which applies to all of Ontario) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (which applies only to municipalities in the Greater Golden Horseshoe).

The Province is seeking input on the new PPS 2023 until June 5, 2023. The proposed PPS 2023 would integrate the current Provincial Policy Statement (2020) with the Growth Plan for the Greater Golden Horseshoe (2019) to create a singular, province-wide policy document. The intent is to simplify existing policies, make more land available for development, and achieve the Provincial target of building 1.5 million new homes over the next 10 years.

As the proposed PPS 2023 was only just released in April 2023, staff review of the document and assessment of potential impacts on the Township is ongoing. All of the municipalities in the Region have been collaborating in this review.

If approved, the new PPS 2023 would make significant changes to Ontario's current land use planning system. A summary of the key policy changes has been provided in Attachment A. The most significant proposed policy changes include the following:

Population and Employment Growth Forecasts - With the elimination of the Growth Plan, municipalities will no longer be required to plan for a Provincially mandated population and employment forecast.

Settlement Area Boundary Expansions - Remove the concept of a Municipal Comprehensive Review (MCR) entirely from the planning process. This change would enable municipalities to consider a settlement area expansion at any time, including through any privately initiated development proposals.

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Intensification Target and Greenfield Density Target - The proposed policy would eliminate the requirement for municipalities to establish and work towards achieving a specific minimum intensification target in Built Up Areas (BUA) and minimum density target in Designated Greenfield Areas (DGA).

Creation of Residential Lots in Prime Agricultural Areas - The proposed policy would permit the creation of up to three new residential lots from an existing farm property located in a prime agricultural area, subject to certain criteria. In addition, the proposed policy would prohibit municipalities from creating policies that would be more restrictive than the above criteria, except to address public health or safety concerns.

Should the Province adopt the new PPS 2023, the existing Provincial Policy Statement and Growth Plan would consequently be revoked. Policies that would remain largely intact in the PPS 2023 include:

- Requirements for municipalities to plan for a minimum 25-year horizon, maintain a 15-year residential land supply and maintain land with servicing capacity for a 3-year supply of residential units; and
- Establish and meet minimum density targets for Major Transit Station Areas, Urban Growth Centres, and other strategic growth areas (e.g., nodes and corridors).

In addition to the policy changes noted above, the Province is also proposing to:

- Allow municipalities to consider the removal of lands from an employment area at any time, rather than through an MCR process;
- Continue to support climate change mitigation, but in a less prescriptive manner. The proposed policy would no longer encourage municipalities to develop targets to reduce greenhouse gas emissions, or development greenhouse gas inventories;
- Delete the requirement for municipalities to establish targets for affordable housing. The new policy would direct municipalities to address housing affordability more generally in collaboration their Service Managers;
- Eliminate the Provincial definitions of “affordable housing” and “low and moderate income households”. Without these definitions, municipalities would no longer have a clear Provincial standard or benchmark to facilitate the construction of affordable housing; and
- Provide for the approval of new development on private wells and sewage systems more broadly throughout settlement areas. Currently, such services may be permitted in settlement areas only for infilling or minor rounding out of settlement areas.

2. Staff Analysis and Potential Implications

Overall, the proposed PPS 2023 is intended to give municipalities more control and flexibility to determine where and how they should accommodate future growth. The Township is an integral part of the Region of Waterloo and currently relies on the Region for many services that are provided on a regional scale. Over the long-term, the increased policy flexibility would result in a more fragmented approach to growth management at the regional scale. In the absence of mechanisms in the PPS 2023 to coordinate growth at the regional scale, the proposed policy changes would weaken strategic decision making on a wide range of Regional services, including public transit, assisted housing, public health, economic development, and infrastructure including water supply and distribution, wastewater collection and treatment, and roads.

The most alarming change in the proposed PPS 2023 is the addition of a policy that would permit the creation of up to three new residential lots from an existing farm property located in a prime agricultural area. This is a significant rollback in agricultural protection as current Provincial policy prohibits new residential lots in prime agricultural areas.¹ The current Regional Official Plan (ROP) and Township Official Plan contain a similar policy.

For several decades, the Region and the Township have been leaders in agricultural land preservation. The Township and the Region work together to preserve agricultural land through strong Official Plan policies and, if implemented, the proposed policy change to permit residential lots in prime agricultural areas will undo decades of strong agricultural protection. Potential implications of permitting new residential lots in agricultural areas include, but are not limited to:

- Fragmentation of the agricultural land base and further loss of farmland;
- Increased potential for land use conflicts between farmers and new rural residents;
- Increase demand on the rural road network and the provision of services to properties;
- Increase in the price of farmland making it more difficult for existing farmers to acquire land to expand their operations or for new farmers to enter the industry;
- Increasing difficulty for farmers to meet Minimum Distance Separation (MDS) requirements when expanding their operations; and
- A variety of implications for aggregate extraction, source water protection, servicing, natural heritage protection and school boards.

In summary, staff do not support several of the proposed policy changes in the PPS 2023. The most notable include, but are not limited to:

¹ The only exception to this rule is to accommodate residences that have become surplus to a farming operation because of a farm consolidation.

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- Permitting up to three residential lots on farms in prime agricultural areas, further contributing to the loss of farmland and creating long-term impacts to the ability of farmers to expand operations and conduct normal farm practices;
- Enabling municipalities to consider settlement area expansions at any time. Currently, such expansions may only be considered as part of an MCR initiated by an upper- or single-tier municipality;
- Eliminating mandatory targets for intensification in the BUA and higher densities in the DGA. The new policy would simply “encourage” municipalities to set their own targets based on local conditions; and
- Policies in the document that specify that local Official Plans and Zoning By-laws shall not contain provisions that are more restrictive than the PPS.

3. Next Steps

The Province is accepting comments on the proposed new PPS 2023 until June 5, 2023. If approved by Council, staff would forward the Council resolution and this report to the Province before the deadline.

Township Strategic Plan:

This report aligns with the initiative of Growth Management/Sustainable Growth with the strategic goal to ensure the Township of Wellesley is carefully planned and that Township policies provide for well-managed, balanced, and sustainable growth.

Financial Implications:

The new PPS 2023 will likely result in additional costs to facilitate agricultural severances and to process additional applications that may be submitted as a result of the policy changes.

Other Department / Agency Comments:

The Region of Waterloo and other area municipalities are bringing forward similar comments to their respective Councils before the Provincial commenting deadline.

Legal Considerations:

None

Attachment(s):

Summary Table of Proposed Changes to the Provincial Policy Statement (PPS)

Department Head: _____

Treasurer: _____

Corporate Management Team (date): May 24, 2023

Approved by:
Chief Administrative Officer:  _____

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Attachment A – Summary Table of Proposed Changes to the Provincial Policy Statement (PPS)

Subject	Summary of change(s)	Reference
Housing/Growth Targets	Requires municipalities to ensure that at the time of each official plan update, sufficient land is made available to meet projected needs for a time horizon of 25 years (noting that planning for infrastructure, employment, and <i>strategic growth areas</i> may extend beyond this time). This is a departure from the PPS, which states that municipalities must have sufficient land available for projected needs for “up to 25 years”.	Subsection 2.1.1, Planning for People and Homes
	Removes the concept of specific population and employment forecasts to 2051 (currently required under the Growth Plan). In its <i>Proposed Approach to Implementation of the proposed Provincial Planning Statement</i> released with the Provincial Planning Statement the government notes that many of these plans have already been implemented throughout the region 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.	See the Growth Plan
	Requires that where the Minister of Municipal Affairs and Housing has made a zoning order, 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.	Subsection 2.1.1, Planning for People and Homes
	Expands the definition of <i>housing options</i> to include a broader range of options for residential intensification, including laneway housing, garden suites, rooming houses, <i>additional needs housing</i> , and supportive, community, and transitional housing.	Section 7, Definitions (<i>housing options</i>)
	Removes the definition of <i>affordable</i> from the PPS and the Growth Plan, presumably to correspond to proposed amendments to	See PPS and Growth Plan, Definitions

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	<p>(Inclusionary Zoning) that prescribe how affordable prices/rents should be determined.</p>	
<p>Settlement Areas and Settlement Area Boundary Expansion</p>	<p>Provides greater flexibility for municipalities to determine when and where to identify a <i>settlement area</i> or allow the expansion of a <i>settlement area</i> boundary (i.e., the requirement for a municipal comprehensive review to permit <i>settlement area</i> expansions has been removed). In identifying a new <i>settlement area</i> or allowing a <i>settlement area</i> boundary expansion, planning authorities should consider factors such as servicing capacity, phasing, and agricultural impact.</p> <p>Encourages planning authorities to establish density targets for new <i>settlement areas</i> or <i>settlement area</i> expansion lands based on local conditions, while <i>large and fast-growing municipalities</i> (a new concept that is described below) are encouraged to plan for a minimum density target of 50 residents and jobs per gross hectare.</p>	<p>Section 2.3, Settlement Area Boundary Expansions</p>
<p>Strategic Growth Areas</p>	<p>Incorporates the concept of <i>strategic growth areas</i> from the Growth Plan, and provides that planning authorities may, and <i>large and fast-growing municipalities</i> shall, identify and focus growth and development in these areas by (1) identifying an appropriate minimum density target for <i>each strategic growth area</i>, and (2) identifying the appropriate type and scale of development in <i>strategic growth areas</i> and transition of built form to adjacent areas.</p>	<p>Section 2.4, Strategic Growth Areas Section 7, Definitions (<i>strategic growth areas</i>)</p>
	<p>Introduces the concept of <i>large and fast-growing municipalities</i>, which includes the 29 municipalities set out at Schedule 1 (Toronto, York, southern Durham, Peel, Halton, Hamilton, London, Waterloo, Kitchener, Barrie, Niagara Falls, St. Catherines, Windsor, Cambridge, Kingston, Guelph, Ottawa and Brantford). As noted above, <i>large and fast-growing municipalities</i> are required to identify appropriate minimum density targets for each <i>strategic</i></p>	<p>Sections. 2.3 and 2.4.1, General Policies for Strategic Growth Areas Section 7, Definitions (<i>large and fast-growing municipalities</i> and <i>strategic growth areas</i>)</p>

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	<p><i>growth area</i> and are encouraged to plan for a minimum density target of 50 residents and jobs per gross hectare.</p>	
	<p>Provides that any reduction in the size or change in the location of <i>urban growth centres</i> identified in an in effect official plan (as of a date to be determined) may only occur through a new official plan or official plan amendment adopted under Section 26 of the <i>Planning Act</i>.</p>	<p>Section 2.4.2, Strategic Growth Areas Section 7, Definitions (<i>urban growth centres</i>)</p>
Major Transit Station Areas	<p>Incorporates the concept of <i>major transit station areas</i> from the Growth Plan, which means the area including and around any existing or planned <i>higher order transit</i> station or stop within a settlement area; or the area including and around a major bus depot in an urban core. <i>Major transit station areas</i> generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.</p>	<p>Section 2.4.2, Major Transit Station Areas Section 7, Definitions (<i>major transit station area</i>)</p>
	<p>Directs that growth be focused in, where applicable, <i>strategic growth areas</i>, including <i>major transit station areas</i>.</p>	<p>Section 2.3.1, Settlement Areas, and Settlement Area Boundary Expansions</p>
	<p>Requires <i>large and fast-growing municipalities</i> to delineate the boundaries of <i>major transit station areas</i> on <i>higher order transit corridors</i> through a new official plan or official plan amendment adopted under Section 26 of the <i>Planning Act</i>.</p>	<p>Section 2.4.2, Major Transit Station Areas</p>
	<p>Requires <i>large and fast-growing municipalities</i> to establish prescribed minimum density targets (aligned with the current Growth Plan) within <i>major transit station areas</i> on <i>higher order</i></p>	<p>Section 2.4.2, Major Transit Station Areas</p>

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	<i>transit corridors</i> . Planning authorities that are not <i>large and fast-growing municipalities</i> , may, but are not required to do the same.	
Rural Areas, Rural Lands & Agricultural Areas	Provides greater flexibility in the development of <i>rural areas</i> by removing language from the PPS which encouraged the conservation and redevelopment of existing rural housing stock on rural lands.	Section 2.5.1, Rural Areas in Municipalities
	Allows for increased residential development on <i>rural lands</i> by providing that multi-lot residential development is a permitted use where site conditions are suitable to the appropriate provision of servicing.	2.6.1, Rural Lands in Municipalities
	Promotes development on <i>rural lands</i> by removing the requirement from the PPS for development on <i>rural lands</i> to be compatible with the rural landscape	Section 2.6.2
	Permits Ontario farmers to have principal dwellings that are associated with an agricultural operation in <i>prime agricultural areas</i> , as an agricultural use.	Section 4.3.2.4, Agriculture
	Permits residential lot creation of up to three lots in <i>prime agricultural areas</i> by removing language that “discourages” lot creation and instead directs that lot creation in <i>prime agricultural areas</i> must be in accordance with specific conditions.	Section 4.3.3.1, Agriculture
	Imposes restrictions on official plans and zoning by-laws that are more restrictive on lot creation in <i>prime agricultural areas</i> by providing that official plans and zoning by-laws shall not contain provisions that are more restrictive than Policy 4.3.3.1(a) of the <i>Provincial Planning Statement</i> , except to address public or health and safety concerns.	Section 4.3.3.2, Agriculture

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	Discourages non-residential lot creation in <i>prime agricultural areas</i> and is only permitted in accordance with specific conditions.	Section 4.3.3.3, Agriculture
	Provides flexibility for non-agricultural uses on surrounding agricultural lands by creating an avenue for when avoidance of impacts from non-agricultural uses are not avoidable, by directing that an <i>agricultural impacts assessment</i> be provided.	Section 4.3.5, Agriculture
Employment	Revises the definition of <i>employment area</i> to exclude institutional and commercial uses, including retail and office uses, unless those institutional or commercial uses are associated with the primary employment area use (being manufacturing, research, and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities). The revisions to the definition of <i>employment area</i> matches corresponding amendments to the <i>Planning Act</i> .	Section 7, Definitions (<i>employment area</i>)
	Includes various policies that direct planning authorities to protect and preserve industrial, manufacturing, and warehousing uses.	Section 2.8, Employment
	Promotes <i>complete communities</i> and mixed-use development by permitting a diverse mix of land uses, including residential, employment, <i>public service facilities</i> , and other institutional uses on lands for employment that are outside of <i>employment areas</i> . Provides that official plans and zoning by-laws shall not contain provisions that are more restrictive than Section 2.8.1.3 of the <i>Provincial Planning Statement</i> , except for the purposes of public health and safety.	Section 2.8.1.3/4, Employment
	Requires planning authorities to assess and update <i>employment areas</i> identified in official plans to ensure that this designation is appropriate to the planned function of <i>employment areas</i> (a shift from the direction that planning authorities “should” do this from the PPS).	Section 2.8.2.3, Employment

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	<p>Provides that planning authorities may remove lands from <i>employment areas</i> where it has been demonstrated that there is an identified need for the removal, the land is not required for the long term, the proposed uses would not negatively impact the overall viability of the <i>employment area</i>, and infrastructure is available to accommodate the proposed uses (including transit and servicing).</p> <p>This is a significant departure from both the PPS and the Growth Plan, which only permit the conversion of employment lands in the context of a municipal comprehensive review (except under limited circumstances). In contrast, the <i>Provincial Planning Statement</i> permits the conversion of employment lands at any time. In addition, the test for conversion is slightly relaxed, as the requirement to consider forecasted employment growth set out in the Growth Plan has been removed.</p>	Section 2.8.2.4, Employment
	<p>Removes the concept of provincially significant employment areas or zones (PSEZs), which exists in the PPS and Growth Plan. In 2019, the Minister of Municipal Affairs and Housing established 31 PSEZs. Pursuant to the PPS and Growth Plan, PSEZs are protected from conversion to non-employment uses except where it has been demonstrated to be appropriate in the context of a municipal comprehensive review. The Ontario government is seeking feedback on the need to identify select PSEZs or portions of PSEZs to protect lands exclusively through an alternative approach (e.g. through a Minister's Zoning Order under Section 47 of the <i>Planning Act</i>).</p>	See current Section 1.3.2.5 of the PPS and of the concept of "provincially significant employment zones" in the Growth Plan for example of repealed provisions/concepts
Infrastructure and Related Planning	<p>Provides that planning and investment in <i>infrastructure</i> and <i>public services</i> should be prioritized to support <i>strategic growth areas</i> as focal areas for growth and development.</p>	Section 3.1.2, General Policies for Infrastructure and Public Service Facilities

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	Encourages planning authorities, in consultation with school boards, to consider and encourage innovative approaches in the design of school and associated childcare facilities, such as schools integrated in high-rise developments, in <i>strategic growth areas</i> , and other areas with a <i>compact built form</i> .	Section 3.1.6, General Policies for Infrastructure and Public Service Facilities
Natural Heritage	The natural heritage policies and related definitions remain under consideration in the province.	Section 41, Natural Heritage