

May 30, 2023

Minister Steve Clark
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Dear Minister Clark,

Re: Comments from the City of Greater Sudbury on ERO Posting – 019-6813 – Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument.

The Ministry of Municipal Affairs and Housing (MMAH) is consulting on proposed policies for an integrated province-wide land use planning policy document. MMAH is seeking input on a proposed Provincial Planning Statement (Statement) that takes policies from A Place to Grow and the Provincial Policy Statement (PPS) to support the achievement of housing objectives. The City of Greater Sudbury (the City) has identified 'Housing' as a priority of its 2019-2027 Strategic Plan, specifically to ensure all of its citizens have access to "safe, affordable, attainable and sustainable housing options in the City of Greater Sudbury". As a direct provider of social housing, funder of housing-related programs, facilitator of development and regulator of building safety, the City is witnessing the provincial housing supply crisis first-hand. With this perspective, the City offers the following comments with respect to proposed Provincial Policy Statement and ERO Posting – 019-6813.

General

As proposed, the Statement does not clearly distinguish between policies designed for high-growth, densely populated areas from having province-wide application. This increases the potential for the Statement to inadvertently slow development in other parts of the province, like northern Ontario, where the factors influencing land use policies for dense, fast-growing areas might be less applicable.

Opportunities

The Statement presents many policies that support the City's ongoing commitment to good planning practices, including:

(1) Continued Focus on Compact Built Form and Complete Communities

The proposed Statement introduces definitions for "compact built form", "complete communities", "low impact development", "strategic growth areas", "urban growth centres", and "watershed planning" which support both new and amended policies.

These definitions and their associated policies are supportive of the City's good planning practices, such as focusing growth in serviced areas, protecting the climate through compact development, and promoting mixed-use development that leads to complete communities. Additional policies that enhance good planning practices include those that address:

- Intensification of employment uses;
- Compact, mixed-use development that incorporates compatible employment uses to support the achievement of complete communities; and,
- Permitting and facilitating all types of residential intensification, the conversion of existing commercial and institutional buildings for residential use, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units.

(2) Housing

The Statement would require municipalities to provide for a range and mix of housing options and establish broader permission for residential intensification, including:

- Conversion of existing commercial and institutional buildings for residential use;
- Development and introduction of new housing options within previously developed areas; and,
- Redevelopment that results in a net increase in residential units.

Municipalities would be required to align land use planning policies with housing policies, including addressing homelessness and facilitating development of a full range of housing options and affordability levels to meet local needs. This aligns with studies underway in the City.

(3) Employment

Mixed Use – Land for Employment Outside of Employment Areas

Overall, the Statement protects and preserves lands used for industrial and manufacturing purposes while promoting mixed-use development where the mix of uses are compatible, consistent with the City's Employment Land Strategy.

(4) Other

The Statement complements other initiatives such as the City's Nodes and Corridors Strategy and the Downtown Master Plan Update by encouraging planning authorities to identify and focus growth and development in Strategic Growth Areas, which include settlement areas, nodes and corridors. The intent is to develop complete communities that offer a greater range and mix of housing options and mixed uses. It also encourages the prioritization of investments in infrastructure and public service facilities to support these strategic growth areas.

Challenges

Notwithstanding proposed definitions and policies of the Statement that support good planning, the following policies present challenges to good planning in the context of northern Ontario:

(1) Private Communal Servicing

The current PPS directs development to areas of municipal servicing, for both water and wastewater, and permits private communal servicing only in instances where municipal services are not available or not feasible. The proposed Statement notes that municipal services are the preferred form of servicing, but it does not prioritize the utilization of municipal services over private communal services. Additionally, the proposed Statement has struck the provision that intensification and redevelopment within settlement areas be directed to locations of existing municipal services to optimize the use of these services.

The Statement could result in the following negative impacts:

- Existing and planned municipal services that become less financially viable as development is less focused on serviced areas;
- Increased development in rural, unserviced areas that counter the trend of good planning practices; and,
- Risk of forced transfer of ownership of the private communal services to the City should they fail, including all ongoing operational and replacement costs in perpetuity.

(2) Settlement Area Creation and Expansion

The Statement permits settlement area creation or expansion at any time, and suggests that planning authorities only “*consider*” where there is sufficient infrastructure and public service facilities and the general protection of agricultural lands, rather than requiring a planning authority to do so.

This policy change is concerning given that, overall, there is more than sufficient land supply both for residential and employment lands within the existing settlement areas throughout the City and staff would not recommend an expansion of settlement area. If implemented, the anticipated impacts could allow for development in areas unsupported by municipal water and wastewater services, making those existing and planned municipal services less financially viable as development is focused elsewhere. A departure from the City’s master plans, such as approving settlement area expansions in areas where they were not accounted for, will create hardship in infrastructure planning and viability.

This policy change would also have the double effect of impacting prime agricultural areas given that settlement areas exist adjacent to the communities of Azilda, Chelmsford, Blezard Valley and Val Therese, possibly removing prime agricultural lands from the agricultural reserve through a settlement area adjustment. Reducing the amount of area reserved for food production runs counter to the City’s Official Plan, the Greater Sudbury Food Strategy, and the general aims of sustainable development and good planning.

It's important to note that a request to expand a settlement area would need to be considered by Council; should Council refuse, the applicant would not have a right to an appeal and the decision is final.

(3) Lot Creation in Prime Agricultural Lands

The Statement prescribes lot creation standards in prime agricultural areas.

The City is concerned that the proposed changes with the Statement would lead to the further fragmentation of the City's prime agricultural areas and increase the risk of land use conflicts between residential and agricultural operations. This fragmentation leads to the loss of farmland and could result in negative impacts on species at risk. As stated in the previous section, converting food producing lands to other uses is contradictory to good planning and sustainable development. Several local reports conclude that there is ample supply and choice of residential lots in the City given the City's existing policies, land supply, and rate of uptake. A 2018 report, for example, notes that, over a 9-year period, 60-70% of the newly created rural lots had not yet been built upon.

(4) Contradictory Approach to Development

The Statement includes contradictory policies from the standpoint of sustainable development and good planning. On one hand support is given to the development of compact and complete communities with mixed uses that utilize municipal services. On the other hand, support is also given rural development of lots with private communal services, the creation of residential lots in prime agricultural areas, and the ability to create and expand settlement areas without substantial justification. This conflicting approach in setting development priority is concerning for reasons already noted elsewhere.

Conclusion

The City of Greater Sudbury is ready to do its part in supporting growth and housing in Ontario, but the Province must create policies and development approval processes that recognize the unique circumstances in northern Ontario where the context, issues and growth are much different than southern Ontario. Although the challenges facing housing supply in the North are complex, these can be overcome with support from the Province.

Respectfully submitted,



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