

# Clarington

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July 5, 2023

The Honourable Steve Clark, M.P.P., Minister of Municipal Affairs and Housing  
Via Email: [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)

Dear Minister Clark:

**Re:** Proposed Provincial Planning Statement and Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023)

**File Number:** PG.25.06

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At a meeting held on June 27, 2023, the Council of the Municipality of Clarington approved the following Resolution #C-116-23:

That [Report PDS-037-23](#), and any related delegations or communication items, be received for information.

That Report PSD-037-23 be adopted as the Municipality of Clarington's comments to the Province on the proposed Provincial Planning Statement, 2023;

That a copy of Report PSD-037-23 and Council's decision be sent to the Ministry of Municipal Affairs and Housing, the Region of Durham, conservation authority partners, and the other Durham Region area municipalities; and

That all interested parties listed in Report PSD-054-22 and any delegations be advised of Council's decision.

Yours truly,



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John Paul Newman  
Deputy Clerk

JPN/lp

c: See Attached List of Interested Parties

**Interested Parties List**

GRCA

CLOCA

KRCA

Linda Gasser

Susan Cassel, City Clerk, City of Pickering

Nicole Cooper, Director of Legislative & Information Services, Town of Ajax

Alexander Harras, Regional Clerk, The Regional Municipality of Durham

Christopher Harris, Town Clerk, Town of Whitby

Becky Jamieson, Director of Corporate Services/Municipal Clerk, Township of Scugog

Fernando Lamanna, Clerk/Deputy CAO, Township of Brock

Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge

Mary Medeiros, City Clerk, City of Oshawa

S. Allin, Principal Planner

L. Backus, Manager of Community Planning

C. Salazar, Director of Planning and Infrastructure Services

## Staff Report

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<b>Report To:</b>	<b>Special Council</b>	
<b>Date of Meeting:</b>	June 27, 2023	<b>Report Number:</b> PDS-037-23
<b>Submitted By:</b>	Carlos Salazar, Director of Planning and Infrastructure Services	
<b>Reviewed By:</b>	Mary-Anne Dempster, CAO	<b>By-law Number:</b>
<b>File Number:</b>	<b>PLN 1.1.5.5 and PLN 1.1.29</b>	<b>Resolution#:</b> C-116-23
<b>Report Subject:</b>	Proposed Provincial Planning Statement and Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023)	

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### Recommendation:

1. That Report PDS-037-23, and any related delegations or communication items, be received for information.
2. That Report PSD-037-23 be adopted as the Municipality of Clarington's comments to the Province on the proposed Provincial Planning Statement, 2023;
3. That a copy of Report PSD-037-23 and Council's decision be sent to the Ministry of Municipal Affairs and Housing, the Region of Durham, conservation authority partners, and the other Durham Region area municipalities; and
4. That all interested parties listed in Report PSD-054-22 and any delegations be advised of Council's decision.

## Report Overview

On April 6, 2023, the Ontario Government released the latest components of its Housing Supply Action Plan, including:

- A new Provincial Planning Statement intended to replace the existing Provincial Policy Statement, 2020 (PPS) and the Growth Plan: A Place to Grow, 2019; and
- Bill 97 (Helping Homeowners, Protecting Tenants Act, 2023) proposing legislative changes to the Planning Act, among others.

The purpose of this report is to (i) summarize the Province's changes put forward through the proposed new 2023 Provincial Planning Statement and recently approved Bill 97 that Council and the Clarington's public should be aware of, and (ii) present staff comments on the proposed changes.

## 1. Background

- 1.1 According to the Province they are taking swift action to implement the 55 recommendations set out in the [Ontario Housing Affordability Task Force Report](#), released February 8, 2022. The recommendations set the foundation for the provincial target to build 1.5 million homes in Ontario over the next 10 years and provide direction for the province to take action to increase density, streamline development processes, cut red tape, improve the efficiency of the Ontario Land Tribunal, and provide funding to support municipal transformation.
- 1.2 To date, several major steps have been taken by the Province in implementing the Ontario Housing Affordability Task Force recommendations. These include:
  - April 14, 2022 - enactment of Bill 109, the *More Homes for Everyone Act, 2022*;
  - October 25, 2022 – introduction of Bill 23, the *More Homes Built Faster Act, 2022*;
  - October 25, 2022 - launch of 20 consultation postings regarding the *More Homes Built Faster Act, 2022* (Bill 23) on the Environmental Registry and Regulatory Registry of Ontario (ERO), including a 66-day consultation period on the Review of A Place to Grow and Provincial Policy Statement;
  - November 4, 2022 – launch of a 30-day consultation on proposed changes to the Greenbelt Plan.
- 1.3 On November 28, 2022, comments on the proposed changes to the Greenbelt Plan were presented to Council and endorsed through Report [PDS-059-22](#).
- 1.4 On December 5, 2022, Council received Report [PDS-054-22](#) and endorsed comments submitted to the Province on Bill 23.
- 1.5 On February 27, 2023, Council received Report [PDS-009-23](#) committing to Clarington's Housing Pledge to facilitate the construction of 13,000 homes by 2031.

- 1.6 On April 6, 2023, the Ontario Government released the latest components of its Housing Supply Action Plan, including:
- Bill 97 (Helping Homeowners, Protecting Tenants Act, 2023) proposing legislative changes to the Planning Act, among others and
  - A new Provincial Planning Statement(2023 PPS) intended to replace the existing Provincial Policy Statement, 2020 (PPS) and A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2020

### **Commenting Period**

- 1.7 The 60-day commenting period on the proposed Bill 97 documents closed on June 5, 2023. Staff did not meet the commenting deadline. On June 9, 2023, Bill 97 was proclaimed. Section 2 below provides a brief summary of the changes.
- 1.8 The 60-day commenting period on the new 2023 PPS was also proposed to close on June 5, 2023, however, it was extended to August 4, 2023. Section 3 below provides a summary and staff comments regarding the proposed new 2023 PPS.

## **2. Summary of Proposed Changes under Bill 97**

### **Extends effective date for planning application refunds to July 1, 2023**

- 2.1 Bill 97 has established a new effective date for planning application fee refunds introduced through Bill 109, changing the effective date from January 1, 2023 to July 1, 2023.

### **Clarifies municipalities' authority to establish parking requirements for primary residences**

- 2.2 Bill 23 introduced restrictions on municipalities' ability to require more than one parking space for an additional residential unit. Bill 97 has amended that proposal to clarify that official plans and zoning by-laws can still require more than one space for the primary residential unit.

### **Changes Planning Act definition of employment area**

- 2.3 The definition of an employment area in the *Planning Act* has been changed to align with the new definition contained in the 2023 PPS, scoping primary employment area uses to industrial, manufacturing, and warehousing.

### **Grants the Province powers over local planning matters**

- 2.4 The Minister of Municipal Affairs and Housing will have powers to make regulations and orders relating to planning functions, including requiring agreements between landowners and municipalities, exempting lands from policy documents, and making regulations related to the applicability of a new provincial planning statement.

### **3. Summary of Proposed New Provincial Planning Statement, 2023**

#### **Eliminates and replaces the Growth Plan and the current Provincial Policy Statement**

- 3.1 The Province has introduced a new 2023 PPS, proposing to integrate the existing Provincial Policy Statement, 2020 (until now, referred to as the PPS) and A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2020 into one, Province-wide document. The 2023 PPS represents a fundamental change to how municipalities plan for growth.
- 3.2 The focus of the 2023 PPS appears to be on supporting the Province's goal of constructing 1.5 million homes by 2031, above all else. The document groups policies under five pillars:
  - Generate an appropriate housing supply
  - Make land available for development
  - Provide infrastructure to support development
  - Balance housing with resources
  - Implementation
- 3.3 The format of the 2023 PPS is similar to PPS, 2020, with certain concepts, such as strategic growth areas and major transit station areas, carried over from the Growth Plan. However, provincially prescribed population and employment forecasts, the 2006 built boundary, intensification targets, and greenfield density requirements established by the Growth Plan are proposed to be eliminated. This is a drastic change after almost two decades of detailed land budget exercises undertaken by municipalities to implement these targets.
- 3.4 For municipalities such as Clarington that are currently subject to the Growth Plan, the 2023 PPS would be a simpler provincial policy framework. Certain changes would provide municipalities greater flexibility to create policies and plan for communities based on their own needs. However, others would make it more difficult for municipalities to create complete communities, protect what is valuable, and would grant the Minister explicit, wide-ranging additional powers over local planning matters.
- 3.5 The following sections summarize the changes put forward in the proposed 2023 PPS that Council and the public should be aware of:

#### **Identifies 29 large and fast-growing municipalities, including Clarington**

- 3.6 The 2023 PPS introduces 29 large and fast-growing municipalities, including Clarington, with the greatest need for housing. These 29 municipalities are identified in the schedule to the 2023 PPS. Information about the criteria used to establish the list of municipalities is not included in the document.
- 3.7 Policies specific to large and fast-growing municipalities direct growth and density to strategic growth areas, including major transit station areas (MTSAs).

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### **Eliminates mandatory Growth Targets going forward**

- 3.8 As the current 2051 population and employment forecasts in the Growth Plan have recently been implemented in most regional and single-tier municipalities, the Province expects lower-tier municipalities to continue to use the 2051 forecasts allocated to them by the upper-tier for this upcoming round of Official Plan updates.
- 3.9 Going forward, municipalities currently subject to the Growth Plan would no longer be required to plan for provincially identified population and employment targets for a horizon year. Instead, the 2023 PPS would require municipalities to designate enough land for at least 25 years (rather than the current requirement for up to 25 years).

### **The concept of a Municipal Comprehensive Review is eliminated**

- 3.10 The concept of '(municipal) comprehensive reviews' of official plans is not proposed to be carried forward into the 2023 PPS. A municipal comprehensive review is an official plan review that comprehensively applies provincial policy, population and employment projections, explores alternative land needs and appropriate directions for growth, and is integrated with planning for infrastructure and public service facilities.
- 3.11 Currently, under the Growth Plan, consideration of settlement area boundary expansions and employment land conversions is only dealt with at the time of the upper-tier's municipal comprehensive review (e.g. Envision Durham).

### **Settlement Area Boundary and Expansions conditions are relaxed**

- 3.12 The 2023 PPS proposes significant changes to policies related to settlement areas. With the elimination of the requirement for municipal comprehensive reviews, municipalities would be able to identify settlement areas or consider settlement area expansions at any time.
- 3.13 The 2023 PPS also proposes to reduce the current conditions required to be satisfied before settlement area expansions are permitted, including the removal of the requirement to consider alternatives and demonstrate that there is a need for additional lands (that growth cannot be accommodated within the existing boundaries).
- 3.14 The 2023 PPS conditions focus on whether there is sufficient capacity in infrastructure and public service facilities to support settlement area expansion and avoiding or minimizing impacts on agricultural land and operations.

### **Built Boundary, Intensification and Density Targets are removed**

- 3.15 The Growth Plan has required municipalities to meet specific minimum density targets on greenfield lands (e.g. 50 people and jobs per hectare), and intensification targets (e.g. 40 percent) on lands within a delineated built boundary established by the Growth Plan in 2006.

- 3.16 The 2023 PPS removes mandatory density targets for all areas currently within the Growth Plan, with the exception of Major Transit Station Areas in identified large and fast-growing municipalities. Municipalities are instead encouraged to establish density targets that are appropriate for local conditions, including encouraging large and fast-growing municipalities to continue to plan for a minimum density of 50 residents and jobs per hectare.
- 3.17 The 2023 PPS proposes to eliminate the concept of the built boundary and removes prescribed intensification targets mandating a certain proportion of development take place within existing built-up areas.

**Strategic Growth Areas and Major Transit Station Areas are maintained**

- 3.18 The 2023 PPS carries forward the concept of Strategic Growth Areas from the Growth Plan. Within large and fast-growing municipalities, official plans would be required to identify strategic growth areas as the focus for growth and development. Major Transit Station Areas (MTSAs) are a type of Strategic Growth Area.
- 3.19 Large and fast-growing municipalities would be required to assign specific minimum density targets in Strategic Growth Areas. In Clarington, this requirement would apply to the MTSAs in Bowmanville and Courtice, with the prescribed minimum density remaining unchanged at 150 residents and jobs per hectare.
- 3.20 Planning and zoning for the future Bowmanville and Courtice GO Station will continue to be a priority in support Clarington's Housing Pledge to provide 13,000 homes by 2031.

**Housing permissions are expanded and less prescriptive**

- 3.21 As previously mentioned, the 2023 PPS removes the provincially mandated minimum density targets for housing development.
- 3.22 PPS 2023 no longer includes a definition of 'affordable', and the requirement that municipalities establish and implement minimum targets for housing that is affordable to 'low- and moderate-income households', moving away from an income-based approach to affordability. Rather, municipalities would instead be required to co-ordinate land use planning with planning for housing to address the full range of housing options, including housing affordability needs.
- 3.23 The 2023 PPS establishes broader permissions for residential intensification, including the conversion of existing commercial and institutional buildings for residential use, the introduction of new housing options (a defined term) in previously developed areas, and redevelopment that results in a net increase in residential units.

**Employment is redefined and Conversion Test requirements are reduced**

- 3.24 Significant changes are proposed to how employment areas are planned for and protected in the Greater Golden Horseshoe.



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- 3.25 The 2023 PPS proposes to change the definition of employment areas, reducing the range of uses permitted and focusing on industrial, manufacturing, and warehousing uses that are not able to locate in mixed-use areas, where there may be sensitive uses (e.g. residential). Institutional uses and commercial uses that are not associated with the primary employment use would be prohibited in designated Employment Areas.
- 3.26 Standalone office uses would no longer be permitted within employment areas, and instead be directed to community areas that support mixed-use designations. The 2023 PPS would enable municipalities to allow for the continuation of existing commercial, office, and institutional uses within employment areas through an update to the official plan to explicitly authorize the existing uses to continue through site-specific permission.
- 3.27 Further, under the 2023 PPS, requests for employment land conversions could be considered at any time and would no longer be required to be looked at holistically as part of a municipal comprehensive review of the official plan.
- 3.28 Conditions required to be satisfied to consider a conversion of employment lands to another use are less stringent but would continue to include a demonstration that the lands are not required for employment purposes over the long term. Without prescribed job forecasts in the Growth Plan, the demonstration of need would be based on municipally established employment targets and land needs going forward.
- 3.29 The concept of 'provincially significant employment zones' introduced by the Province in 2019 is not proposed to be carried forward into the 2023 PPS. The Province has noted that alternative approaches are being considered to replace this tool, such as the use of Minister's zoning orders.

**Agricultural areas outside of the Greenbelt are less protected from loss and fragmentation**

- 3.30 The 2023 PPS proposes fundamental changes to planning for and protection of agricultural lands and functions in Ontario.
- 3.31 The provincially-mapped Agricultural System that has recently been incorporated into municipal official plan as part of the latest cycle of comprehensive reviews is not carried over into the 2023 PPS. However, municipalities will be encouraged to continue to provide geographically-continuous agricultural land base.
- 3.32 In agricultural areas outside of the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan areas, the 2023 PPS requires municipalities to permit up to two additional residential units that are subordinate to the principal dwelling, and allow for the creation of up to three residential lots, subject to certain conditions relating to the parcel being existing as of January 1, 2023, adequate servicing, access, and Minimum Separation Distance requirements.

- 3.33 In Clarington, the more detailed, geographically-specific lot creation policies within the Greenbelt Plan and Oak Ridges Moraine areas would continue to apply and take precedence over the policies of the proposed 2023 PPS. However, Clarington's rural and agricultural areas within the white belt would be subject to the new lot creation permissions put forward in the 2023 PPS, if approved.
- 3.34 A requirement for an agricultural impact assessment is included to determine and evaluate impacts from new or expanding non-agricultural uses on surrounding agricultural lands and operations, where impacts cannot be avoided.

**Natural Heritage policies are not yet included**

- 3.35 Natural Heritage policies are not currently included in the proposed 2023 PPS. The document notes the natural heritage policies and related definitions remain under consideration by the government.
- 3.36 The policies and definitions are expected to be made available through a separate posting on the Environmental Registry of Ontario, once they are ready for review and comment.
- 3.37 Staff will monitor this matter for the release of the draft natural heritage policies. If major changes are proposed, staff anticipate a future staff report may be required, provided the commenting deadline facilitates the timing for such a report.

**Cultural Heritage is redefined**

- 3.38 The proposed 2023 PPS narrows the scope of cultural heritage resources that shall be conserved to those that are designated individually or as part of a Heritage Conservation District under the Ontario Heritage Act.
- 3.39 Currently, the PPS, 2020 directs that significant heritage resources shall be conserved if they meet the criteria for designation (including non-designated properties), regardless of whether they have been previously evaluated.
- 3.40 The effect of the changes to the policy would mean that only properties already designated (protected) under the Ontario Heritage Act would need to be protected through planning processes.

**Schools are to be collaboratively planned for and innovatively designed**

- 3.41 PPS 2023 establishes schools as an important component of a 'complete community' and directs collaboration between planning authorities and school boards. This aligns with the Municipality's current practices.
- 3.42 The proposed policy also encourages innovative approaches to the design of schools and associated childcare facilities, such as integration of schools into high-rise developments and compact built forms.

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### **Existing Greenbelt Plan protections are maintained**

- 3.43 Provincial plans are to be read in conjunction with the 2023 PPS and take precedence over the policies of the 2023 PPS to the extent of any conflict.
- 3.44 The government is proposing an administrative and housing-keeping amendment to the Greenbelt Plan so that policies in the current Greenbelt Plan are maintained should the PPS, 2020 and the Growth Plan be revoked.
- 3.45 This scoped policy change would maintain the existing Greenbelt Plan standards and clarifies that the existing policy connections in the Greenbelt Plan (2017) to the PPS, 2020 and A Place to Grow remain in effect.

### **Implementation and Transition**

- 3.46 Municipalities would be prohibited from implementing policies that are more restrictive than the certain policies of the 2023 PPS, including additional residential units and lot creation, and introducing permission for a diverse mix of land uses (including residential and institutional) on lands for employment that are outside of employment areas.
- 3.47 The Province has indicated that the proposed 2023 PPS is intended to take effect in Fall 2023. Planning decisions made on or after the effective date would be subject to the policies.
- 3.48 It is intended that official plans would be updated as necessary to implement the policies of the 2023 PPS at the time of the regular review cycle. Planning and Infrastructure Services is initiating the five-year review of the Clarington Official Plan. Consistency with the new 2023 PPS would be addressed by the review.
- 3.49 Consideration will also be given to updating the Clarington Official Plan to address the change in the definition of 'area of employment' as a standalone amendment to ensure such areas continue to be protected for employment uses in the long term.

## **4. Key Comments and Concerns**

### **General**

- 4.1 Staff appreciates the need to address the housing crisis in Ontario and supports Provincial efforts to streamline and find efficiencies in the process to address housing supply and affordability.
- 4.2 Staff is greatly concerned that the fundamental changes to established planning principles proposed in PPS, 2023 to create permissions for housing above all else will pave the way for sprawl resulting in costly and inefficient use of land and resources, and the degradation and permanent loss of vital agricultural and industrial land. The possible impacts to our natural heritage system are not yet known, as the proposed 2023 PPS was released without the natural heritage policies.

### Relationship to Provincial Plans

- 4.3 Staff supports the relationship with other provincial plans outlined in the 2023 PPS. In particular, staff strongly supports the continued applicability of the existing Greenbelt Plan and Oak Ridges Moraine Conservation Plan in recognition of these geographically specific and environmentally significant areas that are in need and deserving of additional and permanent protection.
- 4.4 Staff does not support any further changes to the Greenbelt Plan or the Oak Ridges Moraine Conservation Plan or their applicability that would exempt development from the requirements of the provincial plans, or erode the permanent protections the plans provide our agricultural lands and natural heritage systems.

### Municipal Comprehensive Review

- 4.5 The municipal comprehensive review process for updating official plans and related policies limiting settlement area expansions and employment land conversions to times when they can be considered collectively and in the context of alignment with planning for infrastructure and servicing needs are critical to municipalities' ability to plan for and finance growth in an environmentally, socially, and fiscally responsible way.
- 4.6 **The Province is requested to maintain the municipal comprehensive review concept and associated controls on settlement area expansion and employment land conversions in the proposed 2023 PPS.** Alternatively, the Province may wish to better define those instances where a comprehensive review is not required or can be further scoped.

### Settlement Area Boundaries and Sprawl

- 4.7 Enabling applications for settlement area boundary expansions at any time without consideration of alternatives or demonstration that additional land is needed is not responsible and will (i) impact municipalities' ability to plan comprehensively (ii) put undue pressure on local councils to make decisions in isolation of the big picture (iii) take municipal resources away from processing development applications on designated lands in the settlement areas intended to support housing within the planning horizon, and (iii) facilitate sprawl, resulting in the haphazard and premature loss and fragmentation of Ontario's vital agricultural land base.
- 4.8 **The Province is requested to maintain the existing policies requiring requests for new settlement areas and boundary expansions to be considered only as part of a municipal comprehensive review of the municipality's official plan (under section 26 of the Planning Act) and maintain the requirement that it must be demonstrated that additional lands are necessary to accommodate forecasted growth.**

### Protection of Agricultural Land

- 4.9 The proposed policies enabling lot creation in rural and agricultural areas should be considered a threat to the future of farming in Ontario.
- 4.10 Agricultural and rural lands are not the appropriate location for increased residential development and lot creation. Agricultural and rural lands are a valuable and limited resource that needs to be supported and protected through provincial policy. The proposed changes would affect the viability and growth of farming in the Municipality, result in fragmentation and degradation of our agricultural lands, and increase land use and traffic conflicts in agricultural areas.
- 4.11 Staff does not support additional residential lot creation in rural and agricultural areas or the restriction on municipalities passing policies that are more restrictive than the 2023 PPS.
- 4.12 **The Province is requested to remove the proposed policies in the 2023 PPS that would permit residential strip development through lot creation in rural and agricultural areas, and maintain existing lot creation restrictions in rural and agricultural areas in recognition of (i) agricultural land as an invaluable and finite resource necessary for long-term sustainability, and (ii) the contribution of the agricultural sector to the provincial economy.**

### Affordable Housing

- 4.13 The 2023 PPS has removed the definition of “affordable” as it pertains to both rental and home ownership, and instead introduced an approach that is related only to market value. The proposed changes will make it more difficult for municipalities to achieve affordable housing targets identified in Official Plans and impact the ability to reach the missing middle segments of affordability.
- 4.14 **The Province is requested to maintain the definitions of “affordable” and “low and moderate income households” in continued support of municipal efforts (such as Clarington’s Affordable Housing Toolkit) to provide more affordable housing options.**

### Employment and Land Use Compatibility

- 4.15 The removal of the requirement that employment land conversions must take place as part of a comprehensive review will make it more challenging to plan methodically for employment for the horizon of municipal official plans, align planning with infrastructure and capital investment, and will adversely impact municipalities’ ability to protect lands for employment in the long-term. **The Province is requested to carry forward the municipal comprehensive review requirement into the 2023 PPS and to continue to apply the requirement to employment land conversions.**

- 4.16 The modification of the employment land definition resulting in the removal of certain types of uses currently considered employment (e.g. major office) will have impacts on the land needs assessments calculations undertaken to identify the area of employment necessary to achieve the job forecasts established by the Growth Plan. **Through transition provisions, the Province is requested to provide municipalities additional time to reconcile the impacts of these changes and revise community and employment land needs accordingly, prior to these changes coming into effect and placing vital employment areas at risk of conversion.**

### Natural Heritage

- 4.17 Staff supports the housekeeping amendment to maintain all existing policies of the Greenbelt Plan. Staff does not support any further changes to the Greenbelt Plan that would enable the erosion and/or fragmentation of our agricultural lands and natural heritage system or threaten the permanent protection of these systems.
- 4.18 The complete absence of natural heritage policies in the document is concerning. The 2023 PPS is intended to be read as a whole and in its entirety, and no one policy or section should be read in isolation. Staff questions how the document can be consulted on without such a critical section, and without understanding how the natural heritage policies will interact with the other sections of the document.
- 4.19 **The Province is requested to postpone the comment deadline until the draft natural heritage policies have been released and stakeholders have had the opportunity to review and provide comment.**

### Cultural Heritage

- 4.20 Narrowing the scope of the cultural heritage resources that shall be conserved to those that are already protected under the Ontario Heritage Act will diminish the ability of municipalities to collaborate with landowners through Planning Act processes to creatively protect and adaptively repurpose significant built heritage resources. This will result in the permanent loss of such resources.
- 4.21 **The Province is requested to retain the existing language in the PPS, 2020 that aligns with the provincial interest identified in the Planning Act to protect significant cultural heritage resources, including those that are not formally designated.**

### Consultation with Indigenous Communities

- 4.22 Policies on consultation with Indigenous communities are supported. **The Province is requested to provide additional guidance material and financial resources to support the implementation of municipal processes to foster meaningful engagement with Indigenous communities on behalf of the Crown.**

### Minister Powers

- 4.23 Staff is concerned that the additional powers may reduce fairness and transparency in the process by broadening situations where landowners may be unilaterally exempt from conforming to approved planning policy and from obtaining required approvals and permits. **Policy and regulatory documents that are in effect as a result of going through prescribed and public approvals processes should apply to all fairly and equitably.**
- 4.24 **The Province is requested to ensure the local municipality is consulted as part of the process for any planning matter that affects it, and that any Minister's Order should have council support.**

### Transition and Implementation

- 4.25 There has been significant time, municipal resources, and tax dollars expended to undertake the detailed work required to implement provincial policy since the last round of updates, which included the Coordinated Four Plans Review in 2017, further amendments to the Growth Plan in 2019 and 2020, and the PPS, 2020. The complex exercises to establish municipal forecasts and targets, calculate land needs, and implement provincial agricultural and natural heritage systems have taken years. To have much of this work superseded, just as it is being implemented, is not efficient.
- 4.26 A stable planning provincial policy and regulatory regime are needed. As provincial policies and documents continue to change so frequently, it is challenging to understand how effective the policies are at achieving provincial objectives upon implementation.
- 4.27 **The Province is requested to provide an adequate transition period to enable municipalities to amend local planning documents comprehensively to address the sweeping and significant changes to provincial policy directions prior to the policies coming into effect.**

### Regional Planning Framework

- 4.28 Regional planning provides a valuable role that integrates long-term land use planning and infrastructure. This also provides for inter-municipal cooperation and coordination to maximize efficiency and return on public investment.
- 4.29 **The Province is requested to maintain the regional planning role for the purposes of coordinating long-range land use planning and infrastructure.**

## 5. Financial Considerations

- 5.1 As with Bill 23, the financial impacts associated with these latest provincial policy changes are not yet fully known. However, it is anticipated that there will be costs to implement the changes through updates to Clarington's policy and regulatory documents. For example, the new directions will have to be addressed as part of the upcoming Official Plan Review. The changes could also result in less cost-efficient land use patterns and developments that have the potential to impact the Municipality's servicing costs over time.

## 6. Concurrence

- 6.1 This report has been reviewed by the Deputy CAO/Treasurer.

## 7. Conclusion

- 7.1 The purpose of this report is to (i) summarize the Province's changes put forward through the new 2023 Provincial Planning Statement and Bill 97, and (ii) present comments on the proposed changes.
- 7.2 Significant modifications to the 2023 PPS are needed to continue to support all identified areas of provincial interest and to enable municipalities to continue to plan for and foster complete communities that maintain a high quality of life based on the responsible and sustainable use of land and resources, and the conservation of our natural and agricultural systems.
- 7.3 It is respectfully recommended that (i) the comments presented on the proposed 2023 PPS by Report PDS-037-23 be endorsed, and (ii) that a copy of Report PDS-037-23 and Council's decision be sent to the Province, Conservation Authorities, Region of Durham and the other Durham Region area municipalities.

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Staff Contact: Sarah Allin, Principal Planner, [sallin@clarington.net](mailto:sallin@clarington.net) or 905-623-3379 ext. 2419; Lisa Backus, Manager, [lbackus@clarington.net](mailto:lbackus@clarington.net) or 905-623-3379 ext. 2413.

Attachments:

Not Applicable

Interested Parties:

List of Interested Parties available from Department.