
To: Mayor and Council

From: Brent Spagnol, Director of Planning Services

Date: May 31, 2023

Subject: ERO #019-6813- Proposed Provincial Policy Statement (PPS 2023) - Township of Springwater Comments

Report Highlights

- On April 6th, 2023, the Province of Ontario released Bill 97 known as the *'Helping Homebuyers, Protecting Tenants Act'*.
- The Act proposes significant changes to Planning policy and the Provincial Planning Statement (PPS) in Ontario.
- The purpose of this report is to provide a general overview of Bill 97 and to provide specific Township comments with respect to revisions contained within the newly proposed Provincial Planning Statement (PPS 2023).
- Bill 97 is intended to implement Provincial objectives related to increasing the housing supply across Ontario and consistent with Bill 23 which received royal assent on November 28, 2022.
- Bill 97 proposes revisions to seven (7) different pieces of legislation including the Municipal Act, Development Charges Act, and the Planning Act.
- The Bill would also revoke both the current 'Provincial Policy Statement (PPS)' and 'A Place to Grow: Growth Plan for the Greater Golden Horseshoe' and replace them with a new single policy document known as the Provincial Planning Statement (PPS 2023).
- The PPS is a key policy document that directs how development is to occur in the Province of Ontario and significant changes are being proposed related to the following:
 1. Revocation of 'A Place to Grow: Growth Plan for the Greater Golden Horseshoe'
 2. Settlement Areas and Settlement Area Expansions
 3. Employment and Employment Areas
 4. Rural and Agricultural Areas
 5. Natural Heritage
- ERO # 019-6813 has been posted with a 60-day commenting period which closes on June 5th, 2023.
- Subject to any comments received from Council, staff recommend that the comments contained within this report be submitted to the Province for consideration prior to June 5, 2023.

Recommendation

That the report from the Director of Planning Services, regarding ERO # 019-6813-Provincial Planning Statement (PPS 2023), dated May 31, 2023, be received; and,

That subject to any comments received from Council, staff be authorized to submit Township comments as generally outlined in this report to the Environmental Registry of Ontario (ERO) prior to June 5, 2023.

Background

The Provincial Government released Bill 97 known as the *'Helping Homebuyers, Protecting Tenants Act'* on April 6, 2023. The Bill proposes extensive changes to seven Provincial Acts and Policy documents to facilitate the main objective of Bill 23, which is to increase the supply of housing in Ontario by 1.5 million homes over the next 10 years.

Communications provided by the Province indicate that the proposed Bill 97 changes are as a result of comments received through the Bill 23 consultation process in October 2022, which focused on addressing five key policy pillars.

- Generate appropriate housing supply
- Make land available for development
- Provide infrastructure to support development
- Balance housing with resources
- Implementation

Township comments on Bill 23 were submitted as part of that consultation process and are provided in the Background Reports section of this report.

The purpose of this report is to provide a general overview of the various Acts affected by Bill 97 and to provide information with respect to the proposed Provincial Planning Statement (PPS 2023) along with comments regarding specific impacts to Springwater potentially resulting from the proposed policy changes.

General Overview of Affected Acts

Bill 97 proposes the collapse and merger of both the current 'Provincial Policy Statement (PPS)' and *'A Place to Grow: Growth Plan for the Greater Golden Horseshoe'*, replacing them with a new single policy document known as the Provincial Planning Statement (PPS 2023). Bill 97 also proposes various revisions to seven (7) different Acts as follows:

- The Building Code Act
- City of Toronto Act
- Development Charges Act

- Ministry of Municipal Affairs Housing Act
- Municipal Act
- Planning Act and
- Residential Tenancies Act.

Proposed Legislative Consultation and Deadline for Comment

| ERO # | Legislation | Last Day for Comment Submission |
|----------|---|---------------------------------|
| 019-6813 | Review of Provincial Planning Statement | June 5 th , 2023 |

The Province has posted the PPS (2023) for discussion and comment on the Environmental Registry of Ontario ([ERO Ontario #019-6813 PPS](#)).

The PPS is a primary policy document that directs how development is to occur in the Province of Ontario and significant changes are being proposed. This report focuses on the following amendments as they are considered to have the most direct and immediate impact on Springwater:

1. Revocation of A Place to Grow: Growth Plan for the Greater Golden Horseshoe
2. Settlement Areas and Settlement Area Expansions
3. Rural and Agricultural Areas
4. Employment Lands and Conversion
5. Natural Heritage

Revocation of A Place to Grow: Growth Plan for the Greater Golden Horseshoe

‘A Place to Grow: Growth Plan for the Greater Golden Horseshoe’ is a growth management document that provides Provincial policy direction regarding growth and intensification along with population and employment forecasts. The revocation of the Growth Plan along with the removal of planning approval authority from upper-tier municipalities will shift the responsibility of establishing growth forecasts to local municipalities.

As a result, local municipalities like Springwater would be required to complete additional growth management work, prepare methodology for land needs assessment, identify greenfield density targets and priority areas for growth through an updated growth management strategy to guide where and how the municipality will manage growth. Ultimately, this work will be needed to inform subsequent updates to the Township’s Official Plan.

Staff Comments/Impacts

- Political decisions will be required at the local level to determine accepted growth management parameters (density targets, intensification targets, employment targets etc.) to guide growth.
- Additional costs will be absorbed by municipalities, specifically through taxation as Development Charges can no longer be utilized for studies (Growth Management Studies, Intensification Studies etc.) related to growth and development.

Settlement Areas and Settlement Area Expansions

Policies within the proposed PPS 2023 maintain focus on directing growth to settlement areas but removes key guiding policies such as minimizing negative environmental impacts or placing development in areas that could result in the uneconomical expansion of public service facilities.

The most significant shift in policy relates to the relaxation of criteria needed to justify the establishment of new settlement areas and settlement area expansions. This includes the removal of requirements for a Municipal Comprehensive Review (MCR) and relaxing the need for assessments of land availability, establishment of development forecasts, density and intensification targets.

The policy as drafted encourages the consideration of the above noted criteria and replaces the word “shall” with “should”, which is expected to result in a variety of development pressures to provide additional land for housing.

Staff Comments/Impacts

The purpose of the MCR process was to provide an in-depth review of proposals impacting matters of Provincial interest such as the preservation/protection of agricultural and natural heritage lands. The removal of a requirement for an MCR process reduces the key tests to be applied to land use considerations and development proposals that require a local Official Plan Amendment.

Relaxed justification for the establishment of new settlement areas and expansions of existing settlement areas is anticipated to have the following impacts:

- Removal of a Municipal Comprehensive Review will place additional pressure on local municipalities to process local Official Plan Amendments without the benefit of upper-tier coordination or a regional-priority approach.
- Relaxed requirements/justification for the expansion of settlement areas into agricultural areas may increase urban sprawl and remove valuable farmland from food production.
- There will be an impediment to intensification within settlement areas as the policy appears to enable growing outward instead of upward. This is contrary to current policy which requires the efficient use of land and services within settlement areas.

- Increased infrastructure costs associated with growing outwards versus upwards are anticipated.

Employment & Employment Areas

The employment policies within the proposed PPS 2023 provide specific considerations where the establishment of employment uses in mixed use areas, accessory uses and the removal of employment lands are permitted.

Specifically, staff understands the proposed changes are to accomplish the following:

- Policies aim to allow for the intensification of employment uses such as office, retail, industrial and warehousing to support the achievement of complete communities, but requires the consideration of compatibility to ensure that sensitive land uses are protected from unwanted impacts (traffic congestion, noise etc.).
- Policies provide further guidance regarding the accessory nature of sensitive land uses like residential, commercial, service facilities and institutional, indicating that such uses are to be ancillary to primary employment uses.
- Policies replace “should” with “shall” regarding requirements to review and update Employment Areas and outline specific considerations required to justify removal of employment lands (E.g.: identified need, land is not required for employment over long-term, minimizing impact on employment area and availability of servicing).

Staff Comments/Impacts

Staff are generally supportive of revisions to the employment policies as they provide opportunities to add compatible employment uses within communities. Clarification regarding ancillary uses was much needed to ensure that standalone commercial uses do not absorb land within key employment areas. The requirement for justification prior to the removal of employment lands is important to ensure that opportunities for employment are maintained with an overarching review of the impacts on a municipal-wide basis.

Rural Lands and Agricultural Areas

PPS 2023 proposes new policy that would permit the consideration of multiple residential lot creation within the Rural and Agricultural areas, which represents a significant shift away from traditional planning policy.

In addition, revised statements intended to focus growth towards settlement areas also represents a significant shift in accepted planning practices to direct growth to locations where services are available to support growth.

Rural Lands

The Rural Lands policies of the proposed PPS 2023 generally maintain the in-effect wording of the current document, but allow for the consideration of multi-lot residential development where site conditions are suitable for the provision of appropriate sewage and water services.

It is also noted that the proposed PPS 2023 maintains wording that seeks to avoid the need for the uneconomical expansion of services into the Rural Area, without any requirement for justification.

The ability to avoid uneconomical expansion of services may become an issue as a result of pressures to develop subdivisions in rural areas that do not currently provide services (roads, telecommunications, hydro, natural gas) needed to support residential development.

Agricultural Areas

Similar to the Rural Land policies, the proposed PPS 2023 would create opportunities to introduce new residential development into the agricultural areas of the Township. The policies as proposed would permit property owners in agricultural areas to do the following:

- Permit the construction of two (2) additional residential units (ARUs) on properties utilized for agricultural use.
- Permit the creation of up to three (3) new residential lots from each lot where agriculture is the principle use subject to appropriate servicing, Minimum Distance Separation Policies and provided the lot creation does not hinder surrounding agricultural operations and is located outside of a specialty crop area.
- Municipalities would not be permitted to establish more restrictive policies regarding land severances in agricultural areas.
- Surplus Farm Dwelling Severances would still be permitted under the proposed PPS 2023.

Staff Comments/Impacts

There are a variety of impacts that staff anticipate as a result of the proposed agricultural/rural policy direction within PPS 2023 as follows:

- The removal of farmland from food production for residential purposes will result in a significant reduction of the agricultural land base across the Province.
- Increased neighbour compatibility issues related to complaints from residents regarding the agricultural industry (traffic, dust, odours, etc.) could be expected.

- Reduced ability for agricultural operations to expand operations due to Minimum Distance Separation (MDS) calculations from increased rural residential densities/populations within Agricultural Areas.
- Uneconomical expansion of services (road improvements, hydro, internet) needed to support increased residential densities in the agricultural area.
- Increased concentration of private wells into aquifers resulting from additional residential development creates concerns regarding the provision of clean water in agricultural areas.

The Agricultural Advisory Committee met to discuss the proposed PPS 2023 on May 9, 2023 and have provided a resolution accompanied with comments specific to agriculture (Appendix A-Springwater Agricultural Advisory Committee Resolution). The Committee's comments are to accompany the staff report and will be sent to the Province for consideration.

Natural Heritage

Natural Heritage policies remain under review by the Province and specific policy direction being proposed within the new PPS 2023 are to be provided through a future update to ERO Posting #019-6813.

Staff Comments/Impacts

Staff does not have any comment at this time and will provide comments upon the release of the updated posting of Natural Heritage policies.

Conclusion

The Province has indicated that an approval date for the proposed PPS 2023 is to occur in fall 2023. Staff will continue to monitor the roll out of policy changes and will update Council accordingly.

Based on a review of the materials provided through Environmental Registry of Ontario, staff recommend the following:

That the report from the Director of Planning Services, regarding ERO # 019-6813-proposed Provincial Planning Statement (PPS 2023), dated May 31, 2023, be received; and,

That subject to any comments received by Council, staff be authorized to submit Township comments as generally outlined in this report to the Environmental Registry of Ontario (ERO) prior to June 5, 2023.

Financial Implications

There are no immediate financial implications associated with this report.

Pillars of Commitment

The above initiative supports the following Strategic Pillars of Commitment:

- Community Development
- Smart Growth Management
- Infrastructure, Financial Management & Service Delivery

Approvals

Submitted by: Brent Spagnol, Director of Planning Services

Financial Implications Reviewed by: Jas Rattigan, CPA, CGA, Director of Finance

Approved by: Jeff Schmidt, CPA, CGA, Chief Administrative Officer

Version Code: C04 5/24/2023 9:06 PM 2836177

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Applicable Municipal Policy or Legislation

- Ontario Planning Act

Attachments

Appendix A – Agricultural Advisory Committee Comments

Background or Relevant Reports

- [2022-11-23-Bill 23-Township Staff Comments](#)