

## Staff Report

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<b>Report To:</b>	<b>Planning and Development Committee</b>	
<b>Date of Meeting:</b>	May 13, 2024	<b>Report Number:</b> PDS-017-24
<b>Submitted By:</b>	Carlos Salazar, Deputy CAO, Planning and Infrastructure Services	
<b>Reviewed By:</b>	Trevor Pinn, Deputy CAO/Treasurer	<b>Resolution #:</b>
<b>Authored by:</b>	<b>Sarah Allin, Principal Planner</b> , Planning and Infrastructure Services	
<b>File Number:</b>	<b>PLN 1.1.5.5</b>	<b>By-law #:</b>
<b>Report Subject:</b>	<b>Revised Draft Provincial Planning Statement, 2024; Overview and Comments</b>	

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### Recommendation:

1. That Report PDS-017-24, and any related delegations or communication items, be received for information;
2. That Report PDS-017-24 be adopted as the Municipality of Clarington's comments to the Province on the revised draft Provincial Planning Statement, 2024 (ERO Posting 019-8462);
3. That a copy of Report PDS-017-24 and Council's decision be sent to the Ministry of Municipal Affairs and Housing, Ministry of Red Tape Reduction, the Region of Durham, conservation authorities, and the other Durham Region area municipalities; and
4. That all interested parties listed in Report PDS-017-24 and any delegations be advised of Council's direction.

## Report Overview

On April 10, 2024, the Province released an updated draft of a new Provincial Planning Statement (PPS, 2024). This release comes one year after the first draft of the new PPS was issued for comment, in conjunction with the suite of legislative changes introduced through the Cutting Red Tape to Build More Homes Act (Bill 185) and follows many previous rounds of legislation introduced by the Government over the last three years.

With this draft PPS, 2024, the Province is proposing to eliminate the Growth Plan and the existing Provincial Policy Statement, 2020. It is noted, there are no changes proposed to the Greenbelt Plan and Oak Ridges Moraine Conservation Plan, which will continue to apply.

Although there have been improvements to the draft PPS, 2024 over the initial draft released in 2023, staff continues to have concerns related to:

- Eliminating the Growth Plan and the two decades' worth of detailed and consistent growth management and protection of valuable land and resources across the Greater Golden Horseshoe;
- Eliminating the municipal comprehensive review for settlement area boundary expansions and removal of employment lands that is critical to municipalities' ability to plan for and finance growth in an environmentally, socially, and fiscally responsible way; and
- The continuous changes to the provincial planning framework over the last several years, which have diverted resources away from achieving housing objectives.

The deadline to submit comments to the Province is May 12, 2024. In order to meet the 30-day commenting deadline, staff submitted draft Municipal comments on May 10, subject to Council ratification/modification.

The purpose of this report is to (i) summarize the Province's changes put forward through the new draft Provincial Planning Statement 2024, and (ii) present staff's comments on the proposed changes.

Comments on the *Cutting Red Tape to Build More Homes Act (Bill 185)*, which was also released for consultation on April 10, 2024, were presented to General Government Committee on May 6, 2024 (see [FSD-024-24](#)).

## 1. Background

- 1.1 In April 2023, the Province introduced a proposed new Provincial Planning Statement, 2023 (PPS, 2023), proposing to integrate the existing Provincial Policy Statement, 2020 (referred to as the PPS, 2020) and A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan) into a single province-wide document.
- 1.2 On June 27, 2023, comments on the proposed PPS, 2023 were presented to Council and endorsed through [Report PDS-037-23](#). Staff raised concerns about the following significant changes proposed through the draft PPS, 2023:

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- Elimination of the Municipal Comprehensive Review (MCR) process and associated controls on settlement area expansions and employment land conversions;
  - Allowance of residential lot creation in rural and agricultural areas;
  - Removal of “affordable” and “low- and moderate-income households” definitions;
  - Absence of natural heritage policies; and
  - Scope of cultural heritage resources to be conserved (only those designated under the *Ontario Heritage Act*).
- 1.3 One year later, on April 10, 2024, the Ministry of Municipal Affairs and Housing released a new PPS (PPS, 2024) for consultation, which is said to be responsive to feedback received in 2023.
- 1.4 The Government continues to propose to eliminate and replace the Growth Plan and the existing Provincial Policy Statement, 2020 to create one, province-wide document. This represents a drastic change to Ontario’s land use planning framework after almost two decades of provincially prescribed population and employment forecasts, intensification targets, and greenfield density requirements. This fundamentally changes how municipalities will plan for growth.
- 1.5 Over the last three years, there have been no fewer than ten bills brought forward by the Province related to matters of land use planning, development and municipal regulatory powers. The following past staff reports are of particular relevance to the matters outlined in this report:
- June 3, 2019, Planning and Development Committee, [PSD-027-19 More Homes, More Choices Act, 2019 \(Bill 108\)](#);
  - December 5, 2022, Planning and Development Committee, [PDS-051-22 More Homes for Everyone Act, 2022 \(Bill 109\)](#);
  - December 5, 2022, Planning and Development Committee, [PDS-054-22 More Homes Built Faster Act, 2022 \(Bill 23\)](#); and
  - June 27, 2023, Planning and Development Committee, [PDS-037-23 Helping Homebuyers, Protecting Tenants Act, 2023 \(Bill 97\) and Proposed Provincial Planning Statement, 2023](#)
- 1.6 The following sections (i) summarize the key changes between the newly proposed PPS, 2024 and the version released for consultation in 2023 that are most applicable to Clarington, and (iii) outlines staff’s comments to the Province for Council’s consideration.

## 2. Proposed Provincial Planning Statement, 2024

### Generally, proposes relatively minor changes from the draft PPS,2023

- 2.1 The revised draft PPS, 2024 proposes relatively minor changes from the draft proposed in 2023, carrying forward much of what was originally proposed, including:
- (i) eliminating the MCR process
  - (ii) allowing for settlement area boundary expansions and employment land conversions at any time
  - (iii) changing to how employment areas are defined, planned for, and protected
  - (iv) removing mandatory density and intensification targets, with the exception of Protected Major Transit Stations
  - (v) narrowing the scope of cultural heritage resources to be protected
  - (vi) maintaining the applicability and protections of the Greenbelt Plan and Oak Ridges Moraine Conservation Plan in recognition of these geographically specific and environmentally sensitive areas.

### General Comments

- 2.2 Staff recognizes the critical need to address the housing situation in Ontario and supports the Province's efforts to address housing supply and affordability and appreciates the opportunity to continue working collaboratively.
- 2.3 Staff also appreciates the updates the Province has made to the draft PPS, 2024 in consideration of feedback received from municipalities, stakeholders, and the public on the 2023 version of the document, including but not limited to (i) removing policies that would provide for the fragmentation of agricultural areas through residential lot creation, and (ii) adding a requirement to demonstrate need when considering settlement area boundary expansions and employment land removals.
- 2.4 However, many of staff's comments on the draft PPS, 2023 continue to apply to the draft PPS, 2024, and significant concerns remain in particular relating to the impacts of the elimination of the Growth Plan, and the comprehensive review process for alterations/expansions of settlement area boundaries and employment land removals. **Attachment 1** provides a summary of comments on draft PPS, 2023 submitted to the Province in 2023.
- 2.5 **The Province is requested to reconsider Clarington's comments on draft PPS, 2023 that continue to remain applicable (Attachment 1)**

### Amends growth forecast and time horizon policies

- 2.6 Currently, municipalities like Clarington that are subject to the Growth Plan, plan for population and employment based on forecasts issued by the Province under the Growth Plan to upper-tier or regional municipalities (in Clarington's case, Durham

Region). The population and employment forecasts are then distributed to local municipalities through regional Official Plan updates (municipal comprehensive review).

- 2.7 Going forward, municipalities will be required to base population forecasts on the Ministry of Finance's 25-year projections, the details of which would be forthcoming. Municipalities would be required to designate enough land for at least 20 years, but not more than 30 years. The policy notes that planning for infrastructure, public service facilities, strategic growth areas and employment areas may extend beyond this time horizon.
- 2.8 As the current 2051 population and employment forecasts in the Growth Plan have recently been implemented in most regional and single-tier municipalities, the draft PPS, 2024 provides that municipalities may continue to use the 2051 Growth Plan forecasts allocated to them for the purpose of land use planning until more current forecasts to 2051 become available.
- 2.9 The shift away from the consistent and prescribed growth management planning under the Growth Plan fundamentally changes the way in which municipalities in the Greater Golden Horseshoe will plan for and manage growth. The ability to use, rather than abandon, the substantial forecasting and technical work municipalities have completed over the last several years to implement the Province's existing Growth Plan forecasts to 2051 is appreciated. However, some of this work may need to be revisited for consistency with the requirement to meet projected needs over the modified horizon.
- 2.10 **The Province is requested to provide additional details about the Ministry of Finance's population projections, when they might become available, and how such forecasting will (i) impact in-process official plan updates using Growth Plan forecasts and (ii) support planning for employment and associated land needs.**

#### **Maintains general relaxation of Settlement Area Boundary and Expansion conditions introduced in draft PPS, 2023**

- 2.11 The draft PPS, 2024 continues to provide that a planning authority can identify a new settlement area or allow a settlement area boundary expansion at any time, without a comprehensive review.
- 2.12 The criteria planning authorities shall consider for identifying a new settlement area or allowing a settlement area boundary expansion has been expanded in the proposed PPS, 2024 compared to the PPS, 2023 and includes consideration of the following:
  - the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
  - if there is sufficient capacity in existing or planned infrastructure and public service facilities;
  - whether the applicable lands comprise specialty crop areas;

- the evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
  - whether the new or expanded settlement area complies with the minimum distance separation formulae;
  - whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and
  - the new or expanded settlement area provides for the phased progression of urban development.
- 2.13 It is notable that Bill 185 introduces new appeal rights for applicants on municipal decisions for alterations to settlement area boundaries. Currently, decisions on such applications are not subject to appeal. This is contrary to other legislative changes proposed under Bill 185 that would remove third party (e.g. members of the public) appeal rights for official plans official plan amendments, zoning by-laws, and zoning by-law amendments.
- 2.14 Staff appreciates the expanded criteria in the draft PPS, 2024 over the 2023 draft that requires planning authorities to consider whether additional land within the settlement area is needed. However, staff recommends that the test for meeting the criteria be strengthened from 'shall consider' to 'shall demonstrate'. Further, municipalities should have ability to establish additional criteria to be considered, as appropriate.
- 2.15 **The Province is requested to revise policy 2.3.2.1 to strengthen the language to "require demonstration of the following:" when considering new settlement areas or settlement area boundary expansions.**
- 2.16 **The Province is requested to add the following criteria to policy 2.3.2.1: 'Any other criteria deemed appropriate by the municipality, if the official plan contains policies establishing such criteria'.**
- 2.17 **The Province is requested to add a policy to subsection 2.3.2.1 of the proposed PPS, 2024 that requires demonstration that the proposed new settlement area or settlement area boundary expansion will not adversely impact the ability to implement the municipality's minimum density and intensification targets, where such targets are established through the official plan.**
- 2.18 Staff continues to be concerned about policies that allow for settlement area boundary expansions outside of a comprehensive review of the official plan where all requests can be considered collectively (i) relative to other housing and complete community objectives (e.g. transit supportive densities and intensification), and (ii) in coordination with necessary and available infrastructure. Clarity is needed as to how municipalities are to assess the need for additional lands if such a request is being processed in

isolation of the big picture and when other lands remain available for development within the settlement area boundary.

- 2.19 These proposed policies, in conjunction with the proposed changes to the *Planning Act* under Bill 185 providing for landowners to appeal private settlement area boundary applications for lack of decision or refusal, will put pressure on local councils and make it more challenging for municipalities to maintain comprehensively planned boundaries.
- 2.20 **The Province is requested to revise the draft PPS, 2024 to maintain the concept of a comprehensive review and associated controls on the identification of new settlement areas, or settlement area boundary expansions, to allow them only to be considered at the time of a comprehensive review.**

**Redefines Strategic Growth Areas, modifies definitions and terminology, and removes requirement to assign minimum density targets**

- 2.21 The concept of identifying Strategic Growth Areas (SGA) is carried over from the Growth Plan. However, the definition of SGA has been changed to remove Urban Growth Centres, a type of SGA under the Growth Plan. The definition now more generally addresses areas where compact growth and mixed-use intensification should be directed (such as Major Transit Station Areas, transit corridors), and now includes additional areas such as existing and emerging downtowns, and underutilized shopping malls and plazas.
- 2.22 Draft PPS, 2024 no longer requires large and fast-growing municipalities like Clarington to assign minimum densities for each SGA, as was proposed by the draft PPS, 2023.
- 2.23 The removal of the requirement for established minimum density targets in large and fast-growing municipalities may provide municipalities more flexibility to create policies that provide for locally appropriate development, recognizing that a PPS that applies across many diverse communities should not be one size fits all. However, the general inclusion of existing and emerging downs in the definition of SGA will place more responsibility on municipalities to ensure that development within historic downtowns continues to be locally appropriate in form and scale.
- 2.24 **The Province is requested to revise Policy 2.4.1 b) to add ‘locally’ to clarify that ‘planning authorities should identify the locally appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas’ to recognize and celebrate the differences between communities within the Province.**

**Direction for intensification and densities is less prescriptive and more ambiguous**

- 2.25 The draft 2024 PPS, encourages rather than requires planning authorities to establish intensification and redevelopment targets based on local conditions in ‘built-up’ areas but has not carried forward the 2006 “built boundary” established by the Growth Plan.

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- 2.26 Similarly, the draft PPS, 2024 encourages, but does not require, planning authorities to establish minimum density targets in “designated growth areas”, which are vaguely defined as lands within settlement areas that have not been fully developed. As a large and fast-growing municipality, Clarington is encouraged to plan for a target of 50 residents and jobs per gross hectare. This is the current prescribed target for greenfield lands under the Growth Plan.
- 2.27 Staff notes the policies of the draft PPS, 2024 represent the minimum standard. It will continue to be important for Clarington to establish intensification and redevelopment targets based on local conditions in order to comprehensively plan for forecasted growth, appropriately identify land needs, use resources efficiently, protect natural heritage systems, and prevent the premature and permanent loss of vital agricultural lands.
- 2.28 Draft PPS, 2024 includes a policy directing municipalities to establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities, similar to the PPS, 2020.

**Continues to change how employment areas are defined, planned for, and protected over the long term**

- 2.29 The draft PPS, 2024 is consistent with the new definition of “employment area”, as proposed in the PPS, 2023 and implemented in the *Planning Act* (through Bill 97), which narrows permitted uses in employment areas to industrial, manufacturing and warehousing.
- 2.30 The narrowing of the employment area definition resulting in the removal of certain types of uses currently considered employment (e.g. major offices) will have impacts on the land needs assessment calculations that were undertaken to identify the area of employment required to achieve the job forecasts established by the Growth Plan to 2051.
- 2.31 It is noted that Clarington’s designated employment areas are strategically located along major goods movement and transportation corridors, away from sensitive (e.g. residential) uses. In cases where these employment areas have been partially developed with uses that no longer meet the new definition, it will be more challenging to protect these strategically located lands for industrial uses, as they will become vulnerable to the pressure to accommodate residential development, above all.
- 2.32 Resources will be required in the short term to undertake an exercise to determine which of our existing designated employment areas would continue to meet the narrowed definition of Employment Area, and those which would no longer be protected from removal. Amendments to the Clarington Official Plan may be required to provide for a wider range of mixed uses, including residential, in those areas that would no longer qualify as Employment Areas.



- 2.33 **The Province is requested to provide transition provisions that allow municipalities 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, strategically located employment areas at risk of removal.**
- 2.34 The draft PPS, 2024 would allow employment land conversions (now referred to as employment land removals) at any time, similar to those in the draft PPS, 2023
- 2.35 The municipal designation of certain lands as employment area through the comprehensive review process is the demonstration that the lands are needed for employment uses over the long term. Clarity is requested as to how the criteria for removal requiring demonstration that the lands are not needed for employment is to be met in the context of an isolated, site-specific application for removal.
- 2.36 **The Province is requested to carry forward the requirement from PPS, 2020 that employment land removals are to be considered only at the time of a comprehensive review of the municipality's official plan.**

**Adds language that enables municipalities to allocate and re-allocate water and sewage services**

- 2.37 The draft PPS, 2024 introduces that municipalities may consider opportunities to allocate and re-allocate, if necessary, unused municipal water and sewage services to meet current and projected needs for increased housing supply.
- 2.38 This new language aligns with the “use it or lose it” tools proposed through Bill 185, which authorize municipalities to allocate and re-allocate servicing capacity.
- 2.39 Currently, servicing allocation for Clarington is managed by Durham Region.

**Requires municipalities to undertake watershed planning**

- 2.40 Mandates that large and fast-growing municipalities, such as Clarington, undertake watershed planning to inform planning for sewage and water services and stormwater management.
- 2.41 The policies specify that “where planning is conducted by an upper-tier municipality that includes one or more lower-tier large and fast-growing municipalities, the upper-tier municipality shall undertake watershed planning in partnership with lower-tier municipalities”. Collaboration with conservation authorities is encouraged.
- 2.42 Durham Region is identified as an upper-tier municipality whose planning responsibilities will be removed at a later date to be proclaimed by the Lieutenant Governor. Provincial documents have stated the proclaimed date is expected towards the end of 2024. Should this occur, the responsibility for watershed planning would be transferred to Clarington.

- 2.43 Currently, Clarington undertakes watershed planning for stormwater management as part of our secondary plan work. However, Planning and Infrastructure Services does not have sufficient in-house resources necessary to undertake watershed planning for sewer and water services, which is infrastructure managed by Durham Region. Further, watershed areas often extend beyond local municipal boundaries, whereas conservation authorities are watershed-based resource management agencies with relevant in-house expertise.
- 2.44 Staff supports the addition of policies related to watershed planning to the draft PPS, 2024. **The Province is requested to provide clarity relating to the roles of upper-tier municipalities without planning responsibilities and conservation authorities in watershed planning, particularly in cases where the upper-tier municipality continues to manage infrastructure.**

#### **Includes the natural heritage policies**

- 2.45 Natural heritage policies, which were notably missing from the draft PPS, 2023, are included in Section 4.1 of the draft 2024 PPS. These policies are taken directly from the 2020 PPS.

#### **Agricultural area lot creation policies modified to more closely align with existing permissions; flexibility added to support additional residential units**

- 2.46 The draft PPS, 2024 would require municipalities to permit up to two additional residential units in prime agricultural areas where a residential dwelling associated with an agricultural operation is permitted, subject to certain conditions relating to wells and septic systems, compatibility with surrounding agricultural operations, scale, and public health and safety. Such additional residential units would have to be located within, attached to, or in close proximity to the principal dwelling or farm building cluster.
- 2.47 Staff supports the revisions to the draft PPS, 2024 that remove the draft policies in the 2023 version that would have provided for lot creation in agriculture areas. **The Province is requested to clarify in the draft PPS, 2024 that additional residential units within agricultural areas shall not be permitted to be severed at any time.**
- 2.48 It is noted that in Clarington, the draft PPS, 2024 policies would impact lands within the whitebelt. The more detailed, geographically specific policies for agricultural and rural lands within the Greenbelt Plan and Oak Ridges Moraine Plan areas would continue to apply.

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

- 2.49 Provincial plans are to be read in conjunction with the PPS, 2024 and take precedence over the policies of the PPS, 2024 to the extent of any conflict. The Province is proposing an administrative and house-keeping amendment to the Greenbelt Plan to ensure the policies in the existing Greenbelt Plan remain in effect should the PPS, 2020 and the Growth Plan be revoked.

- 2.50 **Staff strongly supports the continued applicability of the existing Greenbelt Plan and Oak Ridges Moraine Conservation Plan. Staff does not support any further changes to the Greenbelt Plan or the Oak Ridges Moraine Conservation Plan or their applicability that would exempt developments from the requirements of these provincial plans or erode the permanent protections these plans provide our agricultural lands and natural heritage systems.**

### Implementation and Transition

- 2.51 The Province has indicated the approach to implementation of the new PPS, 2024 would be to provide municipalities an opportunity to understand and adapt to the policy changes by releasing the final policies for a short period of time before they take effect.
- 2.52 Once in effect, planning decisions on updates to official plans, zoning by-laws, and all types of development applications made on or after the effective date would need to be consistent with the new PPS document, regardless of whether there is a conflict with a local planning document.
- 2.53 It is intended that official plans and local regulatory documents would be updated as necessary to implement the policies of the new PPS at the time of the regular review cycle. Planning and Infrastructure Services is in the initial stages of the five-year review of the Clarington Official Plan. Consistency with a new PPS would be addressed by the review.
- 2.54 Staff appreciates the Province's intended approach to release the final PPS prior to the in-effect date to provide time for municipalities, stakeholders, and the public to digest and adapt to the new policies. **The Province is requested to provide a preview period that is long enough to allow municipal staff to report to Council with implementation considerations.**
- 2.55 Recently, there has been a significant number of changes to land use planning legislation, policy, and processes. A great deal of municipal time and resources have been expended to review, understand, and adapt to and implement these changes that are continually in flux. This has taken resources away from completing our secondary plan program and processing development applications to provide for new homes to be built.
- 2.56 A stable provincial planning policy and regulatory regime is critical going forward to provide time for these new directions to be implemented so that the impacts and effectiveness of the policies can begin to be understood and yield results.
- 2.57 **The Province is requested to stabilize the provincial policy framework to allow municipalities to focus on updating local documents and implementing new provincial directions toward creating complete communities and achieving housing targets.**
- 2.58 The Province has indicated it expects Durham Region to become an upper-tier municipality without planning responsibilities towards the end of 2024. This transfer of

responsibility to Clarington includes absorbing the Region's Official Plan, which will have significant implications for our Official Plan review. Staff will also need to begin to prepare for this transition to ensure sufficient coordination on matters of servicing and infrastructure continues under this new framework.

- 2.59 **The Province is requested to provide pertinent details about expected timing and as soon as possible to enable Clarington to begin preparing for implementation.**

### **3. Financial Considerations**

3.1 It is anticipated that there will be costs to implement the draft PPS, 2024 relating to:

- Required updates to Clarington's policy and regulatory documents (e.g. zoning), including the upcoming review of the Clarington Official Plan which will have to address the elimination of the Growth Plan and achieve consistency with the new PPS, 2024, modifying or redoing forecasting work that has been done to date;
- The transfer of Durham Region's planning responsibilities towards the end of 2024, the magnitude of which cannot yet be estimated, but will include taking on the administration of Durham's recently adopted new Official Plan in addition to our own, and reconciling any provincial conformity exercises that may be required; and
- The additional resources necessary to support new requirements and responsibilities related to such areas as servicing and infrastructure, watershed planning, and inter-municipal coordination.

### **4. Strategic Plan**

4.1 The proposed PPS, 2024 and the directions therein are related to and will impact how the Clarington achieves the Grow Responsibly pillar of the Strategic Plan and support the objective to 'promote responsible and balanced growth by developing the economy while protecting the environment'.

### **5. Concurrence**

5.1 This report has been reviewed by the Deputy CAO/Treasurer who concurs with the recommendation.

### **6. Conclusion**

6.1 The purpose of this report is to (i) summarize the Province's changes put forward through the new draft Provincial Planning Statement 2024, and (ii) present staff's comments on the proposed changes.

6.2 Certain policies in the draft PPS, 2024 may provide municipalities greater flexibility to plan based on their own needs. However, others would make it more difficult for municipalities to uphold policies that create complete communities, protect what is valuable, and grant the Province additional powers over local planning matters.

- 6.3 Additional revisions to the draft PPS, 2024 are requested to continue to support all identified areas of provincial interest and enable municipalities to continue develop complete communities that maintain a high quality of life for residents. As noted throughout the report, **key concerns continue to be related to:**
- **The intent to eliminate the Growth Plan** and the two decades' worth of detailed and consistent growth management and protection of valuable land and resources across the Greater Golden Horseshoe. 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 and creates uncertainty;
  - **The elimination of the municipal comprehensive review** and allowing settlement area boundary expansions and employment land removals to be haphazardly applied for and take place outside the detailed analysis that occurs as part of a municipally initiated official plan update. This detailed analysis is critical to ensuring (i) long-term protection of our employment lands, agricultural lands, and natural heritage resources (ii) provision of adequate community services, and (iii) efficient alignment of servicing and transportation infrastructure; and
  - **Continued instability of and reactionary changes to the provincial planning framework** over the last several years, which has created confusion, costly delays, and resulted in unnecessary modifications to processes and requirements (e.g. application fee refunds). Further, this instability has diverted constrained municipal resources away from efficiently completing secondary plan work, and processing development applications in support providing much-needed housing. This will be exacerbated in the coming year as Clarington takes on Durham's planning responsibilities and absorbs its Official Plan in addition to our own.
- 6.4 In order to meet the 30-day commenting deadline, staff submitted draft Municipal comments on May 10, subject to Council ratification/modification.
- 6.5 It is respectfully recommended that (i) the comments presented on the draft PPS, 2024 by Report PDS-017-24 be endorsed, and (ii) that a copy of the report and Council's decision be sent to the Province, the Region of Durham, relevant conservation authorities, and 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 of Community Planning, [lbackus@clarington.net](mailto:lbackus@clarington.net) or 905-623-3379 ext. 2419.

Attachments:

Attachment 1 – Comments to Province on Draft PPS, 2023

Interested Parties:

List of Interested Parties available from Department.

## Comments to Province on Draft PPS, 2023 (PDS-037-23)

Comment on draft PPS, 2023	Addressed	Still Applicable
<b>General</b>		
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.	Partially	Yes
<b>Relationship to Provincial Plans</b>		
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.	Yes	Yes
<b>Municipal Comprehensive Review</b>		
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.	No	Yes
<b>Settlement Area Boundaries and Sprawl</b>		
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.	No	Yes

Comment on draft PPS, 2023	Addressed	Still Applicable
<b>Protection of Agricultural Land</b>		
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.	Yes	Yes
<b>Affordable Housing</b>		
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.	Yes	Yes
<b>Employment and Land Use Compatibility</b>		
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.	No	Yes
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.	No	Yes
<b>Natural Heritage</b>		
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.	Yes	No
<b>Cultural Heritage</b>		
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.	No	Yes

Comment on draft PPS, 2023	Addressed	Still Applicable
<b>Consultation with Indigenous Communities</b>		
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.	No	Yes
<b>Minister Powers</b>		
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.	No	Yes
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.	No	Yes
<b>Transition and Implementation</b>		
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.	Partially	Yes