



Planning & Development Services Department

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Thank you for providing the opportunity for the County of Lambton Planning Department to comment on ERO 019-8462 on the proposed Provincial Policy Statement through the Environmental Registry of Ontario.

The County of Lambton is an upper-tier municipality that provides Planning & Development Services to ten of eleven member municipalities, while the City of Sarnia operates its own independent Planning Department.

The County of Lambton, Planning Department wishes to express their disappointment that only a 30-day comment period was provided, which reflects poor timing on the Province's part as it relates to workload and ability to provide detailed responses for consideration.

Proposed Planning Act Changes

Upper-tier municipalities with No Planning Responsibilities to Come into Effect on July 1, 2024, for the Regional Municipalities of Halton, Peel, and York

The County of Lambton, Planning Department believes that the erosion of upper-tier structures is problematic and is an important responsibility to remain intact to ensure proper growth management efforts with their member municipalities.

Elimination of Third-Party Appeal Rights to Include Municipally Approved Official Plans, Official Plan Amendments, Zoning By-Laws and Zoning By-Law Amendments

The County of Lambton, Planning Department is generally opposed to this elimination. The elimination promotes a lack of accountability, and discourages participation, hollows the public process, erodes the basic foundations of planning and we believe that public input is valued.

Restore Appeal Rights for Privately Initiated Settlement Area Boundary Expansions

We support the previous process of obtaining a Minister's Zoning Order provided there is accountability for the decisions rendered. In our opinion, if the Municipality says no to an urban settlement expansion, then it should be no; not appealable with only the developers being allowed appeal rights. In combination with eliminating comprehensive review requirements, making urban boundary refusals appealable is problematic as it relates to local growth strategies, plans, and infrastructure planning.

A New "Use it or Lose it" Tool for Municipalities to Tackle Stalled Developments

The County of Lambton, Planning Department is supportive but requests more information on this "tool", how this works for existing plans, and whether is this a

requirement versus an option. More information is required so we can communicate this information to our proponents.

Create a New “Servicing Management” Tool to Facilitate Infrastructure Servicing Re-Allocation to Make More Efficient Use of Municipal Servicing Capacity

The County of Lambton, Planning Department is supportive but requests more information on this “tool”.

A New Minister’s Zoning Orders (MZO) Framework

The County of Lambton, Planning Department believes that a formal guideline for framework be provided and readily available to the public. Communication with both upper and lower tiers is needed as part of the process. It is further our opinion that training and transparency be integrated as part of the process. We agree on a fair approach for all professionals, with a heavy weight on local opinions and concerns.

Remove the Community Infrastructure and Housing Accelerator Tool from the *Planning Act*

The County of Lambton, Planning Department has no objection to the removal of the CIHA but would like to see it replaced with more funding opportunities for all municipalities.

Enhance and Expand Municipal Planning Data Regulation (O. Reg. 73/23) to Include 21 Additional Municipalities (50 Municipalities in Total)

The County of Lambton, Planning Department is not supportive of more reporting.

Enhancing and Broadening the Framework for Additional Residential Units

The County of Lambton, Planning Department is not supportive of further changes as it relates to ARUs. Local infrastructure demands/capacities (i.e. water, sewer, storm), drainage/grading, and waste services are significant issues for many member municipalities. Zoning regulations may reflect limitations in local infrastructure and ARU regulations that supersede local zoning regulations may exacerbate these issues. Lot coverage, for example, should not be the Province’s decision, as local maximums may reflect the decision limitations of local stormwater infrastructure. Further, if a framework should be developed by the government, then full consultation with the local municipalities shall be undertaken and be geared towards specific municipal situations. Therefore, we strongly believe this should be left to the direction of the local municipalities.

Proposed Provincial Planning Statement, 2024

A Flexible Growth Forecast Horizon

No concerns with a horizon for growth with a minimum of 20 years to a maximum of 30 years.

Initial Direction on Growth Forecasting - No concerns with having Minister of Finance projections as the default projections in the absence of local projections.

Minster's Zoning Orders (MZOs) are Considered in Addition to Projected Needs

- a. MZO interjects growth above and beyond what the local municipality anticipates, to which we have concerns.
- b. Municipalities should be considered in this process.
- c. Timing of development through MZO's should be established through municipal servicing plans.
- d. Need to ensure that development is paying for development.
- e. MZO is not based on municipal projections, do not want disjointed growth.
- f. Therefore, upper, and lower tier consultation and input is critical.

Providing for an Appropriate Range and Mix of Housing Options

- a. No concerns that, where new development is to occur, land with servicing capacity to provide at least three-year supply of residential units.
- b. No concern that planning authorities must accommodate residential growth for a minimum of 15 years through lands which are designated and are available for residential development.

Anticipated Guidance Documents on Growth Forecasting and Land Needs

The County of Lambton, Planning Department is requesting to be consulted on this document before it is released.

No Significant Policy Change and Approach to Planning for Affordable Housing

- a) The proposed PPS does not meet the issue of affordable housing.
- b) The market is not driven to provide for affordable housing.
- c) to be geared towards low and moderate-income households.
- d) basing the definition of affordable, in part, on a percentage of market value, the definition of affordable allows for housing that is not.
- a) The PPS does not address the difference between attainable and affordable. Mention of attainable housing should be included.
- a. Needs to be a consistent definition of affordable housing between the PPS and other legislation like the Development Charges Act.

Settlement Areas Remain Focus of Growth and Development Identifying

There are no concerns with various policies confirming settlement areas remain the focus of growth.

Identifying New Settlement Areas and Settlement Area Boundary Expansions

- a. We are generally supportive of removing the formal comprehensive review requirement in favour of a detailed list of considerations and making the process for settlement boundary expansions nimbler.
- b. We have concerns with this change however in combination with the lower standard of "shall consider" and the restoration of a proponent's right to appeal a municipal refusal of an urban boundary expansion This leaves to much potential for development that compromises the municipality's plans for long term infrastructure and growth.

- c. The Planning Department and supports the added flexibility but the flexibility of the wording should not give the developer the right to appeal if the municipality, says “no”.

Planning for Growth in Major Transit Station Areas

No Concerns as it is not relevant to our area.

Expanded Scope of Strategic Growth Areas, but No Targets on Density

- a. Does not impose anything on the County of Lambton that we would not want.
- b. We support the PPS not imposing any specific minimum density targets that municipalities must meet.
- c. Overall, the Planning Department has no concerns with the SGA concept.

A Narrow Definition of Employment Area, Unlocking Residential Opportunities on Non-Residential Lands and Supporting Mixed-Uses, and Employment Area Conversions treated as Removals from Employment Areas

- a. Overall, we think it is a good direction to narrow the definition of “employment areas” and give more flexibility to other employment lands for mixed-use development.

Planning for Growth in the Rural Area Directed to Rural Settlement Areas

- a. Respecting allowing second and third dwellings on a lot in prime agricultural areas, the proposed policy only requires that the additional dwellings must be limited in scale. We formally request that these additional dwelling units be primarily related to the farming operation.
- b. The proposed limit of one severance per farm consolidation is unclear whether this would be one severance per parcel consolidated into the farm operation or one severance from amongst the various parcels that have been consolidated to form the farm operation.

No New Direction on Planning for Rural Employment Areas

No Concerns.

- a. We required clarity on Section 4.3.6 – Local Food and Agri-Food Network.
- b. How does the province define “near urban” agriculture?
- c. Given the open nature of the proposed definition of “urban agriculture”, and the fact some municipalities have chosen to permit urban poultry, for example, will municipalities have the freedom to limit the nature of agriculture permitted in their urban areas?

New Emphasis in Planning for Public Service Facilities

No concerns with the new emphasis on planning for public service facilities and the ability to plan beyond the planning horizon.

The County of Lambton Planning & Development Department appreciates to opportunity to comment on the proposed policy changes.