

330 Wallace Ave. N., Listowel, ON N4W 1L3

Phone: 519-291-2950

Toll Free: 888-714-1993

June 26, 2023

The Honourable Doug Ford Premier of Ontario Legislative Building, Queen's Park Toronto, ON M7A 1A1 Via Email: premier@ontario.ca

RE: Proposed New Provincial Policy Statement (PPS)

Pleased be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held May 15, 2023 in support of the resolution from the County of Prince Edward regarding the proposed new Provincial Policy Statement (PPS):

Moved by Councillor Rothwell Seconded by Councillor Johnston

THAT: The Council of the Municipality of North Perth supports the resolution received from the County of Prince Edward;

AND THAT: This resolution be sent to all municipalities in Ontario, the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Ministry of Agriculture, Food and Rural Affairs, Minister of Environment, Perth-Wellington MPP Matthew Rae, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

CARRIED

Attached please find a copy of the County of Prince Edward's resolution dated May 10, 2023.

If you have any questions regarding the above resolution, please do not hesitate to contact me at lcline@northperth.ca.

Sincerely,

Lindsay Cline,

Clerk/Legislative Services Supervisor

Municipality of North Perth

CC.

Hon. Steve Clark, Minister of Municipal Affairs and Housing Hon. Lisa M. Thompson, Minister of Agriculture, Food and Rural Affairs Hon. David Piccini, Minister of the Environment, Conservation and Parks Perth-Wellington MPP Matthew Rea Association of Municipalities of Ontario (AMO) Federation of Canadian Municipalities (FCM) All Ontario Municipalities



From the Office of the Clerk

The Corporation of the County of Prince Edward T: 613.476.2148 x 1021 \mid F: 613.476.5727

clerks@pecounty.on.ca | www.thecounty.ca

May 10, 2023

Please be advised that during the Regular Council meeting of May 9, 2023 the following resolution regarding the proposed new Provincial Planning Statement (PPS) was carried:

RESOLUTION NO. 2023-293

DATE: May 9, 2023

MOVED BY: Councillor Hirsch

SECONDED BY: Councillor MacNaughton

WHEREAS the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, including new provisions from Bill 23, More Homes Built Faster Act, 2022 is welcomed:

WHEREAS the proposed PPS (sections 2.6 and 4.3) would dramatically remove municipal power and renders aspects of the County's Official Plan, and other official plans throughout Ontario inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs;

WHEREAS the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands;

WHEREAS the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas; and

WHEREAS the province has announced changes will be proposed to natural heritage (section 4.1) that have yet to be published;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the County of Prince Edward urges the province to:

 pause proposed changes to the PPS, particularly regarding natural heritage (section 4.1) and agricultural lands (sections 2.6 and 4.3)



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reinvest trust in the local planning authority of all 444 municipalities, recognizing that each Ontario municipality has unique landscapes, different housing needs and differing visions for local planning matters;

THAT our fellow municipalities be urged to voice their concerns regarding the proposed undermining of local planning authority;

AND FURTHER THAT a copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford, Premier of Ontario, The Hon. Steve Clark, Minister of Municipal Affairs and Housing; The Hon. Lisa Thompson, Ministry of Agriculture, Food and Rural Affairs, The Hon. David Piccini, Minister of Environment, Conservation and Parks, Bay of Quinte MPP, Todd Smith, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, and the Eastern Ontario Wardens Caucus.

CARRIED

Yours truly,

Catalina Blumenberg, CLERK

cc: Mayor Ferguson, Councillor Hirsch, Councillor MacNaughton & Marcia Wallace, CAO



A Community of Character

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June 26, 2023

The Honourable Doug Ford Premier of Ontario Legislative Building, Queen's Park Toronto, ON M7A 1A1 Via Email: premier@ontario.ca

RE: Proposed New Provincial Policy Statement (PPS)

Pleased be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held June 5, 2023 regarding the proposed new Provincial Policy Statement (PPS):

Moved by Councillor Rothwell Seconded by Councillor Blazek

THAT: The Council of the Municipality of North Perth supports consent agenda items 3.3 Perth County Report – Perth County Comments on Proposed Provincial Policy Statement ERO Number 019-6813, 3.4 Perth County Report – Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023 and Draft Provincial Planning Statement April 6, 2023, and 3.17 United Counties of Stormont, Dundas & Glengarry Resolution re: Proposed Changes to the PPS;

AND THAT: A copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford – Premier of Ontario, The Hon. Steve Clark – Minister of Municipal Affairs and Housing, The Hon, Lisa Thompson – Minister of Agriculture, Food and Rural Affairs, The Hon. David Piccini – Minister of Environment, Conservation and Parks, Perth-Wellington MPP - Matthew Rae, the Association of Municipalities of Ontario and the Rural Ontario Municipal Association.

CARRIED

Attached please find a copy of Perth County Reports – Comments on Proposed Provincial Policy Statement ERO Number 019-6813 and Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023, and United Counties of Stormont, Dundas & Glengarry Resolution, dated May 15, 2023.

If you have any questions regarding the above resolution, please do not hesitate to contact me at lcline@northperth.ca.

Sincerely,

Lindsay Cline,

Clerk/Legislative Services Supervisor

Municipality of North Perth

CC.

Hon. Steve Clark, Minister of Municipal Affairs and Housing

Hon. Lisa M. Thompson, Minister of Agriculture, Food and Rural Affairs

Hon. David Piccini, Minister of the Environment, Conservation and

Parks Perth-Wellington MPP Matthew Rea

Association of Municipalities of Ontario (AMO)

Rural Ontario Municipal Association (ROMA)

All Ontario Municipalities



To: Warden Ehgoetz and Members of Council

Meeting Date: June 1, 2023

Prepared By:

Subject: Perth County Comments on Proposed Provincial Policy

Statement ERO Number 019-6813

Recommended Action:

THAT Council receives the "Perth County Comments on Proposed Provincial Policy Statement ERO Number 019-6813" report; and

THAT Council direct staff to submit the attached letter to ERO posting number 019-6813 prior to end of day June 5, 2023.

Background Information:

As per Council's resolution on May 18, 2023 staff are providing a draft letter for their review at the June 1, 2023 Council meeting regarding changes proposed by the province to planning policy. It is proposed that the attached letter be submitted to ERO posting number 019-6813 by planning staff prior to end of day June 5th, 2023.

Connection to Strategic Plan:

Goal 1 - Growth & Economic Development

Goal 2 – Regionalization & Service Effectiveness

Goal 3 - Customer Service Excellence

Goal 4 - Community Development & Planning

Attachments:

draft PPS comments 2023

Reviewed By:

Lori Wolfe, CAO



To: Warden Ehgoetz and Members of Council

Meeting Date: May 18, 2023

Prepared By: Sally McMullen, Manager of Planning Services

Subject: Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023)

and Draft Provincial Planning Statement, April 6, 2023.

Recommended Action:

THAT Council receives the "Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023." report; and

THAT Council direct staff to submit comments to the Ministry of Municipal Affairs and Housing on the Proposed changes to the Provincial Planning Statement, 2023 as outlined in the Comments Section of this report; and

THAT the report be circulated to the Lower Tier Municipalities within Perth County for information.

Executive Summary:

Proposed Changes to the Planning Act through Bill 97 and to the Provincial Policy Statement represent a significant change in policy-led land use planning for the Province of Ontario. This report summarizes the Bill 97 and the Provincial Planning Statement changes that are most relevant to Perth County. The report recommends comments for Perth County Council to submit to the ERO posting which closes on June 6, 2023.

Staff have participated in the development of comments being submitted by the Western Ontario Warden's Caucus and the County Planning Directors Group.

Background Information:

On Thursday April 6, 2023, the Ontario Government introduced Bill 97 including changes to the Planning Act, revoked the Provincial Policy Statement (PPS, 2020) and introduced the Proposed Provincial Planning Statement (PPPS) which is a singular document to replace the former PPS and the Growth Plan for the Greater Golden Horseshoe (2019). These changes are part of an ongoing set of revisions to implement the Ontario Government's "More Homes, More Choice Housing Supply Action Plan".

The PPS can be viewed at the ERO posting (#019-6813) at the following link: https://ero.ontario.ca/notice/019-6813

The posting remains open until June 6, 2023 for comment, which is a 60-day commenting period. Indications are that the Province is looking to implement a final version of the PPS in the fall of 2023.

Planning authorities will not be required to update their OPs immediately. The 'Approach to Implementation' states that the new policies will be implemented at the time of the next Official Plan (OP) review, and through any planning decisions made following the in-effect date (which is still to be determined). Bill 97 may come into effect sooner.

Bill 97

The Bill proposes amendments to 7 different Provincial Acts including the Building Code Act, Development Charges Act, Municipal Act and Planning Act which are most notable from a municipal government perspective. The Planning Act changes are summarized as follows:

- 1. Area of Employment: Re-defining employment areas to specifically exclude commercial and institutional uses in favour of strictly including manufacturing, warehousing and uses related to the movement of goods as well as any accessory or related uses. Requiring that if a municipality wishes to protect uses currently located in Employment Areas that do not fit the new definition it will need to amend its OP to specifically allow the use to continue.
- 2. Transitional Matters: Bill 97 gives the Minister authority to make regulations about when new policy presumably the PPS would have an effect on planning applications in progress. Traditionally such a date is known well in advance and the intake of applications tends to slow prior to the effective date and the transition to new rules takes place with relatively few active files. Applications that are unfolding at the time the effective date is known will need to be re-evaluated to some degree.
- 3. Refunding application fees for zoning bylaw amendments and site plan control applications is further amended in the Planning Act (from Bill 109 in 2022). The refunding will now apply to applications received after July 1, 2023. There is also a proposal to exempt certain municipalities from this requirement but it is unclear which municipalities will be prescribed.
- 4. Orders by the Minister under Section 47 of the Planning Act (MZO) will be given expanded power to disregard policy statements. In addition, powers

will include the ability to impose agreements on developers and municipalities when a Provincial Land Development Facilitator (a new role that came into being in 2020) is engaged in the process. An MZO cannot be appealed. The Facilitator helps resolve planning and development issues either as an impartial mediator or negotiator on behalf of the Province.

- 5. Additional Residential Units references to a "parcel of urban residential land" have been replaced by a "parcel of land" so as to permit a second residential unit (for a total of 3 units per lot primary and two accessory units) on parcels in and out of urban or serviced areas. In other words, a third unit would be permitted on lots that permit residential uses in villages, hamlets and on farms.
- 6. Site Plan Control would be reinstated for developments of 10 residential units or less that are within 120m of a shoreline or 300m of a rail line. Site Plan Control Bylaws need to be updated for each lower tier to reflect changes made by Bill 23 and Bill 97.
- 7. Clarification is provided by the Bill regarding parking spaces for additional residential units, more specifically that municipalities could not require more than one parking space per unit as introduced in Bill 23. It is now clear that the restriction on municipalities does not apply to the primary dwelling, only the additional residential units.

Proposed Provincial Planning Statement

The PPS was last updated in 2020 following intensive consultation and in 2014 prior to that. While many areas of the PPS are proposed to remain, there is a considerable amount of change. Not all sections of the new policy directions have been released yet for comment as the Natural Heritage Policies are still under review. The policies as they are proposed to date are summarized here:

- 1. Lot Creation in the Agricultural Area Residential lot creation has traditionally been discouraged or prohibited except for surplus farm dwelling severances. It is now proposed to be expanded in a significant way. The new PPS would allow up to three residential lots to be created by Section 4.3.3 from farm lots existing on January 1, 2023 provided that:
 - a. Agriculture is the principal use of the existing lot
 - The residential uses are compatible with and not hinder surrounding agricultural operations
 - c. The new lots are:
 - Not in specialty crop areas there aren't currently any specialty crop areas in Perth County.

- ii. Comply with Minimum Separation Distances this offers protection for existing livestock operations and additional residences will introduce new restrictions for locating new livestock operations.
- iii. Are limited to the minimum size needed to accommodate the use including water and septic by putting additional private wells and septic systems in proximity to each other the minimum lot size will need to be larger as determined by the site specific soil and groundwater circumstances.
- iv. Has access to a public road this will require that new non-farm residential lots front roadways. This will have the effect of pushing livestock operations further back into farm lots. Locating new livestock housing back from roads is more expensive for farmers to put in laneways, hydro service, water services etc. and reduces the efficient use of agricultural land.
- v. Is adjacent to existing non-ag land uses or is primarily on lower priority agricultural lands –the Canadian Soil Classification System places all Perth County Soils in Class 1 2 or 3. Further research could be done to further analyze soil types in Perth County to identify any lower priority ag lands (Class 4 through 7).

There is a discussion in the planning community as to whether the policy allows three new lots or a total of three lots including the retained farm parcel. This remains uncertain at this time.

The proposed policy raises the question of will municipalities be able to adequately evaluate the potential impact of non-farm residential development on agricultural operations? And if they do will today's context be enough to prevent hindering future agricultural operations? Generally speaking more people without an agricultural background who moving to the countryside will increase conflict related to normal farm practices (odour, dust, pesticide use, flies, farm equipment, etc). This will make it ever more challenging for farmers to conduct their normal farm practices on a day to day basis.

The second important question is 'what adjacent non-farm uses' are being considered and what exactly will the County require to demonstrate 'lower priority ag lands' in order to satisfy the 5th criteria?

The new PPS does not allow municipalities to put provisions in their OP or zoning bylaws that are more restrictive than Section 4.3.3.1 listed above, but perhaps some control can be sought through the interpretation of

'adjacent non-farm uses' and 'lower priority ag lands' in the context of Perth County's highly productive farmland.

Perth County has been developing a growth plan for the New OP that accommodates the projected population growth for the next 25 years as directed by the 2020 PPS. The Watson and Associates Land Needs Assessment presented to Council on April 6, 2023 calculates that there will be demand for 290 new households per year for the next 25 years and that 238 hectares is needed in addition to our current inventory to accommodate that growth on public water and sanitary servicing.

Presumably demand for 290 households a year (as forecast by the 2023 Watson and Associate calculations) will largely be accommodated in the settlement areas but there will be interest in severing residential lots from farms and it is quite hard to estimate the impact of that in hectares or in the number of potential lots. It is an approximation, but assuming 1 hectare per new lot it is far less efficient land use than in serviced areas and comes with the addition of serious consequences for livestock farming and farming in general for Perth County farm operations.

Some other municipalities are simply taking the number of farm parcels and multiplying by 3 to get some scope on the issue. In Perth County that would be 8,080 farm parcels, with three new lots each being 24,240 lots at 1 ha each so the equivalent number of hectares. More realistically you would have to remove the lots that are smaller than 2 ha to begin with and consider the MDS calculations for all the existing livestock operations in order to have clarity about the long-term potential impact of the lot creation policies proposed by the new PPS in the County. What is easier to envision is that in each concession block there is probably 2 or 3 farm lots that could potentially meet the MDS criteria for new lot creation. Putting three new dwellings, plus any additional dwelling units on each new lot effectively sterilizes the block from having any new livestock operations and introduces upwards of 9 new lots and potential for 27 new dwelling units in that block at a maximum density of only 3 units per hectare if the soils are proven to be capable of dealing with the effluent from weeping beds, otherwise the units per hectare is further decreased.

2. Comprehensive Review and Settlement Boundary Expansions – The draft 2023PPS removes reference to a Comprehensive Review and instead allows for settlement boundary expansions, employment land conversions and the removal of Prime Agricultural Lands through an OP Amendment at any time. The Comprehensive Review has been a PPS requirement since 2005. The tests to be applied at the time of an OP Amendment are not as stringent as they were, but would still require consideration of adequate servicing, phased progression of urban development, and impacts on agriculture including minimum distance separation through an Agricultural Impact Assessment.

These changes allow greater flexibility to manage settlement areas and consider changes in a more streamlined process. It requires greater intention and care from the municipalities to continue to focus the majority of growth to fully serviced areas while giving some flexibility for villages and hamlets.

- 3. Growth projections and land needs assessment remain critical tools for managing and planning for growth. The new PPS intends that municipalities continue to plan for and provide sufficient land to accommodate growth for at least 25-years instead of "up to" 25 years. Intensification targets would no longer be required while density targets are needed. County staff will need to consider revisions to the draft New OP in this regard and reevaluate minimum density targets to include in the growth management policies.
- 4. References to affordability have been removed and replaced with 'housing options' which is a direction to incorporate a greater variety of dwelling types as well as variety in ownership and rental models. It is implied that greater 'housing options' is a suitable means to address affordability.
- 5. Employment Areas are being more strictly preserved for core industrial uses and prohibiting any mixing of commercial, recreational or institutional uses. Language continues to be present to ensure Planning Authorities are giving compatibility between employment uses and sensitive land uses adequate due diligence. While the policies are not specific about how employment areas should be updated it offers that at least a 25-year land supply is needed and planning for employment areas may go beyond this timeline. In addition, the conversion of employment lands for other uses would become easier without the requirement for a comprehensive review. The new PPS provides tests related to minimizing impacts on employment uses, adequate infrastructure and servicing for the proposed use and an identified need for the removal of the land over that of the need for the employment use.
- The Natural Heritage (Natural Environment) policies and related definitions are still under consideration by the government and there are no indications what changes might be proposed or when they will be available for comment.

Proposed Comments regarding Bill 97 (Helping Homebuyers, Protecting Tenants Act, 2023) and Draft Provincial Planning Statement, April 6, 2023 to be sent to the Province:

<u>Bill 97</u>

1. Perth County is finalizing a draft new Official Plan (OP) prior to public engagement scheduled for later this year. The new OP provides many necessary updates in policy to accommodate growth, improve housing options and protect the agricultural, aggregate and natural environment resources. Much effort and many resources have been put into development of an OP that meets the needs of our community and thoughtfully plans for growth. The additional MZO powers proposed to be afforded to the Minister lack transparency and do not give sufficient certainty to the municipality or the public.

Perth County requests that the new additional MZO powers be removed to ensure municipal planning authorities have the tools needed to right size the settlement areas, effectively plan for infrastructure, and protect our agricultural land base.

2. Additional Residential Units on farms is an opportunity for affordable housing and for farm families to accommodate multiple generations on the farm within a minimum size footprint. **Perth County supports this direction.**

Proposed Provincial Planning Statement

1. Perth County is actively planning the accommodation of projected population growth and housing demand with clear intention to direct for that growth into settlement areas. Settlement areas are where complete communities are provided for the greatest amount of people and the most efficient use of land can be achieved. It is of upmost importance to Perth County to preserve highly productive farmland for food production and protect the limited natural heritage and aggregate resources found here.

The proposed Agricultural lot creation policies allowing the creation of three lots from a farm parcel undermines the growth management efforts of Perth County and Lower Tier Municipalities to be efficient with land consumption and maximizing investments in infrastructure.

Perth County is 90% Prime Agricultural Lands and has a diverse, robust agriculture industry which is necessary for the production of safe food and in providing food security locally and beyond. Agriculture in Perth County is an economic pillar both in primary agriculture and indirectly in services,

inputs, transportation, and business supports. The proposed non-farm residential lot creation policies introduce a serious threat to the continued success of our highly productive agricultural area.

Perth County requests the new policies which allow for the creation non-farm residential lots be removed.

- 2. Perth County Council supports the removal of the strict Comprehensive Review requirement in the 2020 PPS. Perth County Council also supports the requirements for agricultural impact assessments and efficient use of municipal infrastructure for settlement area boundary expansions.
- 3. The removal of the definition of affordable with respect to housing from the PPS allows municipalities flexibility to accommodate affordable housing definitions that may be aligned with funding and incentive opportunities available to developers. The removal of affordability targets and reference to housing and homelessness plans from the PPS makes the province's expectations for the planning authority related to affordable/attainable housing unclear.

Perth County Council requests clarity regarding the planning authority's roles and responsibilities for the provision of affordable housing options in our communities.

4. Perth County has 11% Natural Heritage cover on a total land area basis and is a largely agricultural community. The Natural Heritage System is incredibly important to the health of the landscape, water systems and in the prevention of soil erosion. The Natural Heritage Policies in the PPS are a significant tool which informs the County's ability to adequately evaluate development proposals and prevent adverse effect on the existing Natural Heritage System.

The County of Perth is currently engaged in an extensive consultation with landowners related to Natural Heritage Systems mapping and is also reviewing policy regarding Natural Heritage in a draft of a New OP for the County. Perth County requests timely action by the province to share proposed Natural Heritage Policies.

Others Consulted:

County Planning Directors Group, Western Ontario Wardens Caucus Planning Working Group, Dr. Wayne Caldwell

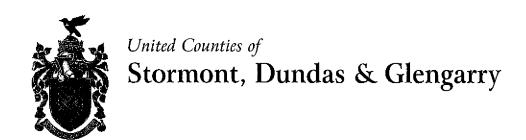
Connection to Strategic Plan:

Goal 1 - Growth & Economic Development

Goal 2 - Regionalization & Service Effectiveness

Goal 4 - Community Development & Planning

Reviewed By: Lori Wolfe, CAO



RESOLUTION

MOVED BY Councillor Williams

RESOLUTION NO 2023- 98

SECONDED BY Councillor Lang

DATE May 15, 2023

WHEREAS the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, including new provisions from Bill 23, More Homes Built Faster Act, 2022 is welcomed; and

WHEREAS the proposed PPS (sections 2.6 and 4.3) would dramatically remove municipal power and renders aspects of the County's Official Plan, and other official plans throughout Ontario inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs; and

WHEREAS the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands; and

WHEREAS the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas; and

WHEREAS the province has announced changes will be proposed to natural heritage (section 4.1) that have yet to be published.

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the United Counties of Stormont, Dundas, and Glengarry urges the province to:

- pause proposed changes to the PPS, particularly regarding natural heritage (section 4.1) and agricultural lands (sections 2.6 and 4.3)
- reinvest trust in the local planning authority of all 444 municipalities, recognizing that each Ontario municipality has unique landscapes, different housing needs and differing visions for local planning matters

AND THAT our fellow municipalities be urged to voice their concerns regarding the proposed undermining of local planning authority;

AND FURTHER THAT a copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford, Premier of Ontario, The Hon. Steve Clark, Minister of Municipal Affairs

and Housing; The Hon. Lisa Thompson, Ministry of Agriculture, Food and Rural Affairs, The Hon. David Piccini, Minister of Environment, Conservation and Parks, Stormont-Dundas-South Glengarry MPP Nolan Quinn, Glengarry-Prescott-Russell MPP Stéphane Sarrazin, the Association of Municipalities of Ontario, the Rural Ontario Municipal Association, the Federation of Canadian Municipalities, and the Eastern Ontario Wardens Caucus.

CARRIED DEFEATED DEFERRED

WARDEN