

Appendix A to Report PPW 2023-13
Significant Changes to PPS and Recommended Position

Section	Effect of Policy and Comment	Position
2.1.1	<p>Requires municipalities to add approved MZO's as an addition to the projected needs over the planning horizon as established in local Official Plan. This somewhat unplanned additional growth must be incorporated into the OP and related infrastructure plans during future updates.</p> <p>Minister's Zoning Orders have been approved regularly in recent years, with several approved in Peterborough County. Recognizing these in an OP and through infrastructure plans may put municipalities in a position to essentially plan and fund for previously unplanned growth. It could also mean major changes to or deviations from existing settlement area delineations and infrastructure plans where growth has been planned and budgeted for in municipalities for years. (ie the MZO will dictate where development will occur and not by municipal Councils through proper planning analysis).</p> <p>Reference to "provincial guidance" to inform future population and employment projections. No provincial guidance documents have been released for review, so it is unclear what these documents will look like and how they will impact future changes to the OP. This comment is applicable to all references to provincial guidance throughout the proposed Provincial Planning Statement.</p>	Concerns
2.3.4	<p>Allows for the establishment of new settlement areas, and the expansion of existing settlement areas, subject to meeting five criteria.</p> <p>This removes issues the County has seen with a limit on the area permitted by expansion, no longer requires any 'swap' of settlement area lands for adjustments and removes the need for a Municipal Comprehensive Review. However, the criteria are not substantial, requiring very little justification and no examination of the ability of existing settlement areas to accommodate the growth or justify how a new settlement area would utilize existing infrastructure efficiently. While the ability to expand settlement areas is welcome, the establishment of new settlement areas should not be taken so lightly and should be prohibited or subject to a more robust set of criteria.</p>	Support with modification

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2.3.5	<p>Planning authorities encouraged to establish density targets for new or expanded settlement areas that are appropriate and based on local conditions.</p> <p>This is a significant change from policies in the current Growth Plan which require a specific methodology to be used, and minimum densities to be achieved regardless of local circumstances, presence of natural hazards, capability of emergency services or existing built form.</p> <p>Within serviced settlement areas, there is no longer a need to identify built-boundaries, designated greenfield areas or excess lands. This will remove some of the red-tape and additional policy hurdles that developers must overcome to move ahead with applications. However, it will rely on careful planning and review from various municipal departments to ensure development happens in a logical progression and doesn't get ahead of itself and available infrastructure.</p>	Support
2.4.1	<p>Municipalities may identify strategic growth areas where growth and development will be focused. The use of the term 'may' gives municipalities the option to utilize these policies to better support complete communities and a wider range of housing options that is appropriate to local conditions and need.</p>	Support
2.5	<p>The proposed Provincial Planning Statement no longer directs growth in Rural Areas to rural settlement areas.</p> <p>This is unfortunate since the effect almost encourages scattered rural growth which is known to be less efficient and less cost-effective in the delivery of services. As well, local Municipalities have recently reviewed their rural settlement areas and adjusted them through the development of the new Official Plan in anticipation that these areas would attract significant, and much needed, residential development.</p>	Do Not Support
2.6.1	<p>On rural lands, lot creation and multi-lot residential development is permitted where appropriate sewage and water services can be provided.</p> <p>This differs from the current policy environment which allows lot creation that is locally appropriate. The term 'multi-lot residential development' is not defined so it is unclear what this means. Given the number of new lots that are proposed to be permitted in</p>	Do Not Support

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	<p>prime agricultural areas, one can assume that this would mean at least 3 new lots but possibly more. It is concerning that this policy could permit new plans of subdivision in rural areas, something that has not been permitted for almost 20 years. This form of development does not build 'complete communities' but rather isolated clusters of residential development. It is strongly suggested that the policy be amended to read the same as Section 1.1.5.2(c) of the 2020 Provincial Policy Statement. If it remains unchanged, a definition for 'multi-lot residential development' should be provided.</p>	
2.8.1	<p>It is recognized that there may be employment uses located outside of designated employment areas, and a wide variety of uses are permitted in these areas to support complete communities. Official Plans cannot be more restrictive on these uses unless it is a matter of public health and safety.</p> <p>This is a much broader policy than anything in the 2020 PPS or the 2019 Growth Plan, which don't necessarily recognize or permit employment uses outside of designated areas. Allowing a variety of uses will enable local Municipalities to plan in a way that is appropriate to local context.</p>	Support
2.8.2	<p>Planning authorities are required to designate, protect and plan for employment areas in settlement areas. This includes selecting locations which serve research and development, manufacturing, warehousing and transportation, and prohibiting uses such as residential, unrelated retail and office uses, and other sensitive land uses within these areas.</p> <p>Planning authorities may remove lands from employment areas in circumstances where a small list of criteria can be met.</p> <p>Policy surrounding employment areas has been significantly reduced and streamlined. The proposed policy no longer requires a Municipal Comprehensive Review to add or remove lands from employment areas, there is no reference to provincially significant employment zones, there is no requirement to establish or implement minimum density targets (jobs per hectare) in employment areas, and the list of criteria to be satisfied to remove lands from an employment area has been substantially reduced. This will allow municipalities to maintain more control over employment areas and make changes as</p>	Support

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	they are needed. There is no policy that prohibits an Official Plan from being more restrictive or providing additional direction or criteria that may better assist in achieving a community's employment goals. The policy also appears to provide more flexibility in the establishment of limited types of employment uses (outside of employment areas).	
4.1	<p>Natural Heritage policies and related definitions are not included in the draft document and remain under consideration by the Provincial government. They will be made available in a separate posting on the Environmental Registry.</p> <p>Given how significantly the natural heritage policies of the Growth Plan have impacted Peterborough County since its release in 2017, it is extremely disappointing and frustrating that a fulsome policy document has not been provided. There are concerns that the addition of Natural Heritage policies could interact with and impact other policies that have been reviewed by staff, and could change staff opinion. Recent legislation has removed the authority of Conservation Authorities to review and comment on natural heritage features for Planning Act applications, so it will be doubly important to not only understand the impact of the new policies on the landscape but also on the day-to-day operation and implementation of those policies.</p> <p>The new County Official Plan, as adopted by Council in June 2022, was developed to conform to the Provincial Growth Plan and any changes to natural heritage policies will inevitably necessitate changes to the OP as adopted.</p>	Unknown Impact
4.2.3	<p>Municipalities are encouraged to undertake watershed planning to inform planning for water and sewage services and stormwater management, and for the protection, improvement or restoration of water quality and quantity.</p> <p>This is a significant change from the current mandate of the 2019 Growth Plan, which places the onus for undertaking watershed planning on upper-tier municipalities. Instead, the proposed policy encourages (rather than requires) and doesn't prescribe which level of government must undertake the work. The new policy appears to provide flexibility to allow watershed plans to be focused around areas of development pressure versus the entire County. This would be a better investment of funds to undertake the study.</p>	Support with Modification

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	<p>There is no reference to any provincial guidance so it is assumed that there is no prescribed methodology to be used, and unclear what role (if any) the Watershed Planning Guidance documents will play.</p> <p>Presumably, the scale of watershed planning can be undertaken at a level that makes sense locally. If this is not the case, it is recommended that additional clarity be provided. In going through the development of the new Official Plan, the County inquired whether watershed planning could be done only for those watersheds that contain serviced settlement areas but Provincial direction at the time was that it must be undertaken for the entire County, even though the vast majority of the County wouldn't see significant development.</p>	
4.3.1	<p>Planning authorities are encouraged to use an agricultural system approach based on provincial guidance. The term 'agricultural system' is defined in part as an agricultural land base, based on mapping provided by the Province where mapping is available and requested, comprised of prime agricultural areas and rural lands that create a continuous productive land base for agriculture.</p> <p>It is unclear if the existing Provincial agricultural system associated with the 2019 Growth Plan is the mapping referenced in the definition, or if there is new mapping that will become available. Based on the definition, it appears as though the mapping must be requested from the Province. There is also no requirement for municipalities to implement an agricultural system. Instead, planning authorities are encouraged to use a similar approach based on provincial guidance. It is unclear what this provincial guidance is, or what it will look like.</p> <p>Many municipalities have just finished undertaking an extensive review and justification process to incorporate the Provincial agricultural system into Official Plans. While some discretion in implementing an agricultural system is welcome (the process for not including lands in the system was particularly onerous), it is felt that stronger language in the proposed policy could be utilized. Up until the release of the Provincial agricultural system, the amount of designated agricultural land had been continuously</p>	Support with Modification

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	shrinking, and once it is fragmented by rural development and no longer farmed, it is very difficult to get back. Stronger protections should be in place to ensure those areas that are actively farmed are protected for the long-term economic prosperity of the agricultural industry and local food security.	
4.3.2.1	<p>Agriculture-related and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches which achieve the same objective.</p> <p>While this policy is almost identical to policies contained in the 2020 PPS, it is unclear if the 'provincial guidance' refers to the existing Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas or if new guidance will be released. Implementing policy for agriculture-related and on-farm diversified uses has required careful balance and guidance documents are helpful in that regard.</p>	Support
4.3.2.5	<p>Up to two additional residential units (ARU's) may be permitted in prime agricultural areas provided the units are within, attached to or in close proximity to the primary dwelling, they comply with minimum distance separation formulae, they do not hinder surrounding agricultural operations and adequate servicing can be provided. Additional residential units can be severed from the lot in accordance with severance policies.</p> <p>While the Planning Act permits ARU's on a lot where a detached house, semi-detached house or rowhouse is permitted, the proposed policies have provided clarity that this includes prime agricultural areas. It is uncertain how an ARU that is not contained within the primary dwelling can meet minimum distance separation (MDS) requirements. Guideline #14 appears to exempt development on the same lot as the subject livestock facility, but additional residential units are not specifically listed. Updates to the MDS Guidelines may be necessary for absolute clarity.</p> <p>It is concerning that this policy, coupled with the proposed severance policies discussed below, could permit up to 12 residential units across 4 lots (3 severed plus 1 retained) in a prime agricultural area whereas the current policy environment would permit a maximum of 3 residential units (primary dwelling plus 2 ARU's). That is a significant increase in traffic on roads which may be gravel and which are used regularly by farm</p>	Concern

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	equipment, and much greater potential for land use conflicts due to noise, dust and odor which are all part of normal farm practices.	
4.3.3	<p>Permits a total of 3 new residential lots from a property as it existed January 1, 2023, provided agriculture is the principal use of the lot, the severance does not hinder surrounding agricultural operations, complies with MDS, has public road frontage and adequate servicing, and is adjacent to existing non-agricultural land uses or consists of lower-priority agricultural lands. Official Plans and Zoning By-Laws shall not be more restrictive unless it is a matter of public health and safety.</p> <p>Also allows for lot creation for a residence surplus to a farming operation, and new lots for agricultural uses and agriculture-related uses.</p> <p>The protection of agricultural resources is identified in the Planning Act as a matter of provincial interest. The creation of residential lots, unrelated to agriculture or intended to assist the farmer, has been discouraged since the Countryside Planning/Foodland Guidelines were issued by the Province of Ontario in the 1970's. It is now contradictory of the Province to both state that agriculture is a priority worth protecting, while simultaneously proposing to allow such a high volume of scattered residential development.</p> <p>The effect of the proposed policy would:</p> <ul style="list-style-type: none"> • Severely fragment the agricultural land base, contrary to the direction of the current and proposed PPS direction to maintain and enhance a geographically continuous land base which supports the long-term economic prosperity and productive capacity of the agri-food network. • Generate a loss of potentially hundreds of acres of designated prime agricultural land in Peterborough County alone. • Limit the ability of existing farm operations to expand due to MDS restrictions on new or expanding livestock facilities. • Increase land use conflicts due to noise, dust and odor which are part of normal and modern farm practices. 	Do Not Support

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	<ul style="list-style-type: none"> • Increase in land use conflicts between other uses which are permitted to locate in prime agricultural areas such as aggregate extraction, on-farm diversified uses and agriculture-related uses. • Increase road safety concerns due to higher levels of vehicular traffic in areas where it is necessary for farm machinery to travel on the roadway between fields/farms. • Increase on demand for local Municipalities to provide rural services such as snowplowing, road maintenance or improvements, waste collection, emergency services, school bussing, and utilities services. • Potentially place strain on water tables in the long-term, particularly since each new lot created could be eligible for up to two additional residential units. • Reduce the number of units constructed in settlement areas where municipalities have gone through a significant boundary refinement process as part of the Municipal Comprehensive Review and where substantial investments have been made in services and infrastructure. • Reduce opportunities for infrastructure efficiency in settlement areas. <p>It should also be noted that the effect of the proposed policy resets the lot of record date that is currently established in all local Official Plans, so the 3 new residential lots are permitted over and above any lots which have been historically created through surplus dwelling severances, farm help lots and farm retirement lots. Since no previous severances are counted towards the maximum number of severances, the issues described above may be further exacerbated. The creation of lots off of farms is not a sustainable business plan for the agriculture community.</p> <p>As discussed above, the Province is proposing to permit settlement area boundary expansions without the requirement for a Municipal Comprehensive Review. Understanding that some agricultural land may be needed to address the demand for housing, directing development to settlement areas would be a more efficient use of agricultural land (achieving higher density growth) than scattered residential development throughout the countryside.</p>	

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	<p>It is strongly recommended that this policy be removed from the proposed Provincial Planning Statement altogether. However, should it remain, clarity should be provided on the following items:</p> <ul style="list-style-type: none"> • What is the test to determine if agriculture was the primary use of the lot as of January 1, 2023? How is this validated and is it tied to the current owner or the property itself? For example, the owner on January 1, 2023 is an active farmer, but sells the property in 2024 to a non-farmer. Is the new owner eligible for the new lots? How do staff validate that the property was being farmed back in 2023 and therefore meets the test to allow severances? • What is considered to be “adjacent to a non-agricultural use”? Does this include natural heritage features? Is it limited to areas where the lands are adjacent to settlement areas, institutional uses, recreational uses? Can it be located adjacent to existing residential uses? • What are “lower-priority agricultural lands”? Clarity should be provided as to whether this is limited to lower priority agricultural lands on the subject property itself, or with a certain soil classification. • Does a severance for a surplus farm dwelling count towards the maximum number of 3 residential severances from a parcel of land? 	