



Staff Report

Meeting Date: May 17, 2023

To: County Council

Report Number: PPW 2023-13

Title: Report Draft Provincial Planning Statement

Author: Iain Mudd, Director of Planning

Approval: Sheridan Graham, CAO

Recommendation: That report PPW 2023-13, Report on the draft Provincial Planning Statement, be received; and,

That staff be directed to forward Report PPW 2023-13 to the Minister of Municipal Affairs and Housing and local MPP's as the formal response from Peterborough County on the draft Provincial Planning Statement; and,

That a copy of the report be forwarded to each local Township for their information.

Overview

On April 6, 2023, the Province posted the draft Provincial Planning Statement to the Environmental Registry of Ontario (ERO) for a 60 day commenting period.

The draft Provincial Planning Statement looks to create a province-wide, land use planning document with a focus on speeding up housing approvals.

While a number of the Statement's policies and definitions have been carried over from the 2020 Provincial Policy Statement, many have been modified to further the province's goal of increasing residential development. Some of the Statement's policies and definitions are entirely new. The Statement would eliminate the Growth Plan for the Greater Golden Horseshoe however a number of Growth Plan policies and definitions, some of which have also been modified to align with this housing goal are incorporated into the new Statement.



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Background

The Ministry of Municipal Affairs and Housing (MMAH) sought input in 2022 on how to integrate The Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement. As a result of that exercise the Ministry has drafted a new planning policy document entitled “Provincial Planning Statement”.

Through this new draft Provincial Planning Statement, the government is proposing policies grouped under five pillars:

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

This report focuses on those areas most applicable to the County.

Analysis

In short, the new Statement takes approximately 142 combined pages of policy contained in the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019) and reduces it to 44 pages. The Statement, although prescriptive with certain policies, seems to be removing some previous mandatory policies and replacing them with more relaxed policies. In many areas formerly prescriptive words “shall” and “will” have been replaced with “should” and “encourage” thereby providing municipalities with more local autonomy on policy applicability dependent on local circumstances.

Two areas of specific note relate to the Agricultural policies and the Natural Heritage policies. During the development of the County Official Plan we conducted surveys and open houses with County residents wherein comments were sought on the importance of several policy areas. Two policy areas which received a great deal of input/comment related to the importance and protection of Agricultural lands and Natural Heritage features.

Agricultural Lands

Of particular concern are the draft changes related to agricultural lands. Residential severances (other than those related to farm amalgamations) have not been permitted on Agriculturally designated lands for close to 20 years in an attempt to reduce farm



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fragmentation, reduce non-farm land use conflicts and to protect the agricultural land base for future expansion of farm operations.

The draft Statement proposes to allow up to 3 residential lots to be created from any agricultural parcel where the predominant use of the parcel was agriculture as of January 1, 2023. The lots must:

- be compatible and not hinder surrounding agricultural operations
- comply with the minimum distance separation formula (MDS)
- have existing access on a public road and appropriate frontage for ingress/egress
- are adjacent to existing non-agricultural land uses or consist primarily of lower-priority agricultural lands

The Statement also directs that no official plan or zoning by-law shall contain provisions that are more restrictive than the 3 lot quota (except to address public health or safety concerns). In other words, municipalities would not be able to reduce or eliminate the 3 lot number if they so desired. This could have an immediate impact to the long-term viability of agriculture not only within our County but across the province.

Some local townships currently have ownership rules (land must be owned for 5 or 10 years) or size requirements (retained must be a certain acreage size). Such rules would be removed as they would be seen as more restrictive than the Statement allows.

Less than 5% of Ontario's land base is prime agricultural lands (OMAFRA 2016). Stats Canada (2022) reported 48,346 farms in Ontario in 2021. If each of those farms were to create 3 lots at one acre each that would represent 145,038 acres taken out of agricultural production.

Couple this with the minimum separation distance required for new or expanding livestock operations and it quickly becomes apparent that permitting residential lot creation in the agricultural area will limit the ability of livestock operations to be created or expanded.

The recent pandemic magnified the need for food security and coupled with the existing grocery prices being experienced today, it is somewhat alarming that the province is willing to throw away 20 years of agricultural protection in the name of housing when such opportunities more appropriately exist in other areas. The agricultural sector is a huge economic driver for Peterborough County. The impacts of this singular policy could have an irreversible impact to that sector. Once residential lots/uses are introduced into agricultural areas they will remain – residential lot creation is not a temporary use on the landscape.



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Natural Heritage lands

The draft Statement that is currently out for comment on the Environmental Registry of Ontario (ERO) contains no policies related to Natural Heritage. These policies are apparently being developed by the province and will be released at a later date. It is problematic to review such an overarching policy document which is not fulsome in its policy context. The County has extensive natural heritage features across its landscape. It is disappointing that a fulsome policy document wasn't released that would allow a detailed analysis of the overall impacts and policy interconnectivity that will be applicable to our County.

Appendix "A" attached to this report is a table outlining the section number, effect of the policy, staff comments about the section, and our recommendation. Recommendations are summarized as follows:

- Support – agree with the proposed direction.
- Support with modification – agree with the proposed direction but needs clarification/changes.
- Do not support – has the potential to significantly impact Peterborough County and/or conflicts with local plans such as the Climate Change Action Plan, Sustainability Plan etc.
- Concern – major concerns that could be resolved through modification or removal of other related policies.
- Unknown – insufficient information provided to form an opinion.

Overall, the proposed Provincial Planning Statement appears to be prioritizing housing above all other matters of provincial interest. While the effect favours a more municipally lead approach and will eliminate some of the issues and red tape posed by the existing legislation, there are serious items of concern that will undermine good planning practices and years worth of implementation that have protected some of our most valuable areas.

Financial Impact

Not applicable.

Anticipated Impacts on Local and/or First Nations Communities

None

To provide high quality services to residents, businesses and Townships:

Housing – To engage in partnership and planning in support of meeting the housing needs of our community.



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Industry & Business – To support the attraction, retention and growth of local business and industry.

In consultation with:

1. Keziah Holden, Senior Planner
2. Bryan Weir, Senior Director of Planning and Public Works

Communication Completed/required: Council's comments forwarded to MMAH via the ERO

Attachments

Appendix A – Table of changes and recommended position

Respectfully Submitted,

Original signed by:

Iain Mudd

Director of Planning

For more information, please contact:

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