

Bill 97 - Helping Homebuyers, Protecting Tenants Act (2023)

Proposed New 2023 Provincial Planning Statement (PPS)



Planning and Development Committee

May 9, 2023

Pam Duesling – General Manager, Development Services

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Proposed Provincial Planning Statement (2023)

- ERO Posting #019-6813, 60-day review, closes June 5, 2023
- Replaces Provincial Policy Statement or 'PPS' (2020)
- Initial proposal to 'merge' Growth Plan (2020) and PPS into a single province-wide policy document (consultation closed Dec. 31/22)
- **Note:** Not an application of Growth Plan to entirety of Province
- Instead, it is a proposed repeal of A Place to Grow Act (2005) and Growth Plan for Greater Golden Horseshoe
 - Proposed release of final policies → Fall 2023
 - OPs are expected to be updated as necessary to implement these policies at time of ordinary review cycle

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Proposed Provincial Planning Statement (2023)

- Removal of Municipal Comprehensive Review (MCR)
 - Matters addressed through an MCR to be addressed through Official Plan Amendments
- Repeal of Growth Plan
 - Planning horizon a min. of 25 years (vs. up to 25 years)
 - Removal of intensification targets within built-up areas
 - Municipalities to continue using current 2051 growth forecasts if Official Plan is in progress
 - Municipalities to move towards their own forecasts in future Official Plan updates
- Changing policy direction and language
 - Changing prescriptive language to more flexible and enabling (e.g., Municipalities “shall” versus “are encouraged to”)

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Proposed Provincial Planning Statement (2023)

- Settlement areas creation/expansion any time outside of a MCR as part of an OP update
 - Tests to expand not as restrictive, but still subject to criteria
- Changes to “areas of employment” exclusive to manufacturing, warehousing, movement of goods, and accessory retail/office
 - Policies to permit removal of employments lands outside of MCR
 - Official Plan Amendments required to permit other uses not listed
- Definitions and references to ‘affordable’ housing removed

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Proposed Provincial Planning Statement (2023)

- Draft policies for Natural Heritage have not been included in the draft PPS yet – to be posted at a later date
- Changes to Cultural Heritage and Archaeology policies
 - Proposed changes focuses on protecting already “protected” heritage property (identification/evaluation de-emphasized)
 - Opportunities for development process to proactively identify/evaluate cultural heritage resources
 - Proposed changes create redundancies in heritage conservation policy framework (listing process moot)
 - Need for a simplified but multi-faceted approach to heritage conservation that includes opportunities to identify, evaluate, and protect built heritage resources timely and efficiently

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Proposed Provincial Planning Statement (2023)

- More opportunities for Additional Residential Units (ARUs) in Prime Agricultural Areas
 - Up to two (2) ARUs in addition to principal dwelling, subject to criteria
 - ARUs may be severed from principal dwelling, subject to criteria
- Lot Creation of agricultural lands for non-agricultural purposes
 - Current and proposed Official Plan policies aim to protect agricultural areas for food production and direct non-agricultural development to settlement areas
 - New proposed policy permits 3 new lot creations on each agricultural parcel, subject to criteria
 - Official Plans and Zoning By-laws shall not contain provisions more restrictive than these policies

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Impacts of Agricultural Lot Creation in County of Brant

- Proposed policy has potential to create **7,768 new lots** based on OP designation and fragment land base further

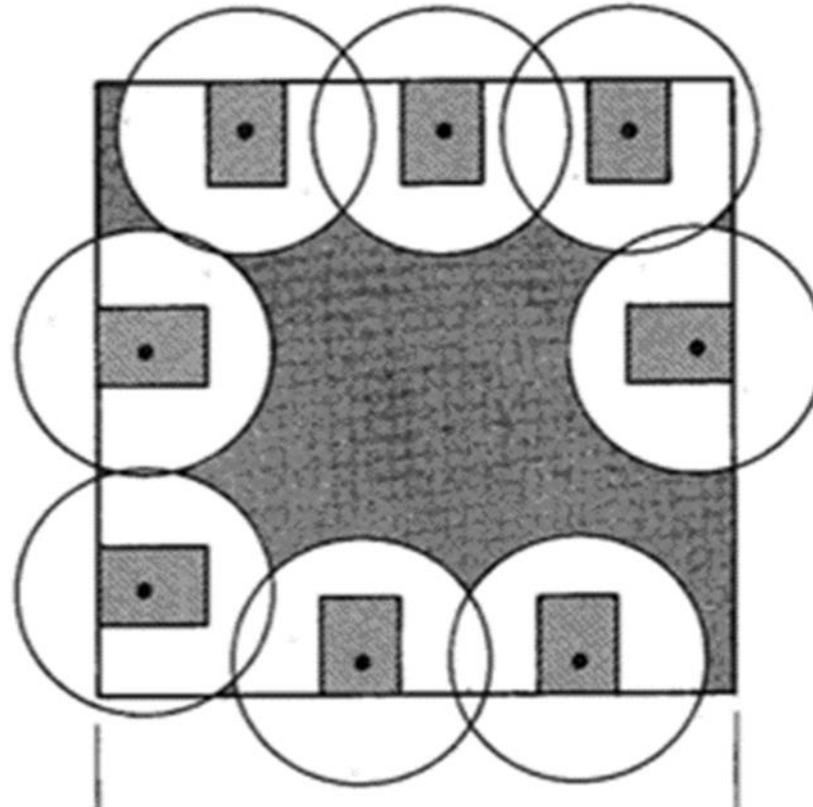
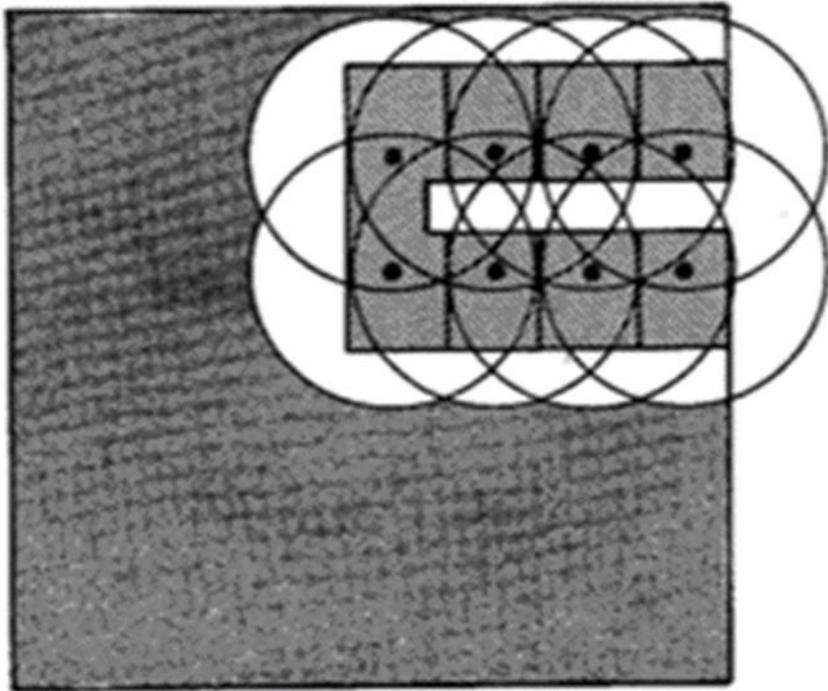
Size of Agricultural Parcel	Number of Lots that can be created	Number of eligible parcels in the County	Total Acreage of Land Lost
2 – 2.99 acres	1 severance	280 parcels	280 acres
3 – 3.99 acres	2 severances	150 parcels	300 acres
4.00+ acres	3 severances	2,396 parcels	7,188 acres
TOTAL			7,768 acres

- Combining the new proposed ARU policy and the new lot creation policy could also mean 3 residential units on each of these new lots and existing lots in the agricultural area

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Impacts of Agricultural Lot Creation in County of Brant

- Recognize that the proposed ARU and lot creation policies could hold benefit to many farmers and agricultural property owners in the County of Brant and Ontario
- However, there are also a number of impacts of scattered residential lot creation in the agricultural area:
 - Increased conflict with farming practices
 - Increased MDS restrictions limiting placement and expansion of livestock operations
 - Reduced number of new units constructed in settlement areas where servicing exists/been invested in
 - Questions around ground water and nitrates?
 - Questions around opportunities for aggregates?
 - Increased demand on County to provided rural services (e.g., snow plowing, waste collection, EMS, road maintenance, etc.).

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Impacts of Agricultural Lot Creation in County of Brant

- Questions around how County of Brant handles this increase of consent applications?
 - Resources?
 - Processes – Further Delegating Opportunities?
 - Ag Zoning/ New Zoning of remaining agricultural land?
 - Application costs and revenue for County?

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Impacts of Agricultural Lot Creation in County of Brant

Recommendation

1. That report RPT- 0201-23 regarding an overview of new proposed *Provincial Planning Statement 2023* and *Bill 97 Helping Homebuyers, Protecting Tenants Act, 2023* be received; and
2. That report RPT-0201-23 be forwarded to the Province of Ontario through the associated consultations posted on the Environmental Registry and Ontario Regulatory Registry as appropriate; and
3. That the new proposed Provincial Planning Statement, specifically proposed policy 4.3.3 – Lot Creation and Lot Adjustment has the potential to adversely affect farming in the County of Brant and overall food production and security for all of Ontario. Creating any additional residential lots in the agricultural area, particularly prime agricultural areas (class 1-3 soils) is not supported by the County of Brant. It is estimated that an approximate 7,768 acres of prime agricultural lands will be taken out of production as a result of this proposed policy change in the County of Brant. The Lot Creation and Lot Adjustments policies of the 2020 Provincial Policy Statement should remain; and
4. That the County of Brant request the Province of Ontario commit to an enhanced municipal consultation process such as by establishing technical working groups with municipalities, Indigenous communities, and other stakeholders on the proposed policy changes in the new Proposed Provincial Planning Statement 2023; and
5. That report RPT-0201-23 be shared with the two Conservation Authorities having jurisdiction within the County of Brant.

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Questions?



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