



The Corporation of the Town of Tecumseh

Development Services

To: Mayor and Members of Council

From: Brian Hillman, Director Development Services

Date to Council: May 23, 2023

Report Number: DS-2023-13

Subject: The Proposed New Provincial Planning Statement 2023
Summary Report

Recommendations

It is recommended:

That DS-2023-13, The Proposed New Provincial Planning Statement 2023 - Summary Report, **be received**;

And that DS-2023-13 **be submitted** to the province through the Environmental Registry of Ontario as comments from the Town of Tecumseh on the proposed new Provincial Planning Statement 2023.

Executive Summary

The province recently released proposed changes to the Provincial Policy Statement 2020 through the release of the proposed new Provincial Planning Statement 2023 and is seeking comments by June 5, 2023. This report summarizes the changes that will have an impact on the Town, including changes to growth management, housing, servicing and agricultural lot creation polices, and provides planning comments on the proposed changes.

Background

In Fall 2022, the province undertook a housing-focused policy review of the Provincial Policy Statement (“PPS 2020”) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“A Place to Grow”), seeking input on the creation of a streamlined province-wide land use planning policy framework. These documents provide comprehensive policy direction on land use planning matters. They both aim to support the achievement of liveable communities, a thriving economy, a clean and healthy environment, and social equity, improving the quality of life for all Ontarians.

During the consultation period, the province received feedback on the following six themes:

- Residential Land Supply
- Attainable Housing Supply and Mix
- Growth Management
- Environment and Natural Resources
- Community Infrastructure
- Streamlined Planning Framework

The provincial government advised that the input and recommendations received from the public, municipalities, stakeholders and Indigenous communities helped shape the proposed policies for a proposed new **Provincial Planning Statement, 2023 (“PPS 2023”)**.

The province is now seeking input on the draft PPS 2023 that would replace the existing PPS 2020 and A Place to Grow. Through the new PPS 2023, the province is proposing policies grouped under the following five pillars:

- 1) Generate an appropriate housing supply
- 2) Make land available for development
- 3) Provide infrastructure to support development
- 4) Balance housing with resources
- 5) Implementation

If approved, the effective date and transition is anticipated to be in the Fall of 2023. Timing for official plan updates is to be as part of an ordinary review cycle (which is 2031 for the Town of Tecumseh). The deadline to provide comments is June 5, 2023.

This report summarizes the key changes proposed to the PPS 2020 and provides comments on the matters for which the province is seeking feedback. It focuses on those sections of the 2023 PPS that would most directly affect the Town of Tecumseh.

Comments

The following table organizes the significant/relevant changes into the following categories:

- Growth Management and Housing
- Employment
- Infrastructure and Related Planning
- Agricultural Areas

It identifies the pertinent section of the 2023 PPS, summarizes the change and provides comments on the change.

Subject/Section	Summary of Change	Comments
Growth Management and Housing		
Subsection 2.1.1 Planning for People and Homes	Requires municipalities to ensure that at the time of each official plan update, sufficient land is made available to meet projected needs for a time horizon of 25 years (noting that planning for infrastructure, employment, and <i>strategic growth areas</i> may extend beyond this time). This is a departure from the PPS, which states that municipalities must have sufficient land available for projected needs for “up to 25 years”	<ul style="list-style-type: none"> • This is reasonable and the 25-year time horizon is consistent with the Town’s OP. • Planning for infrastructure and employment beyond 25 years is reasonable given the need to contemplate appropriate trunk infrastructure and sufficient employment land to meet changing economic conditions.

<p>Section 7 Definitions (<i>housing options</i>)</p>	<p>Expands the definition of <i>housing options</i> to include a broader range of options for residential intensification, including stacked townhouses, tiny homes, laneway housing, garden suites, rooming houses, <i>additional needs housing</i>, and supportive, community, and transitional housing.</p>	<ul style="list-style-type: none"> • This change is a recognition that there are a variety of different housing forms that are acceptable and necessary to address diverse housing needs and is generally consistent with the direction of the Town’s OP.
<p>Section 7 Definitions</p>	<p>Removes the definition of <i>affordable</i> from the PPS</p>	<ul style="list-style-type: none"> • PPS 2020 defined affordable as a function of income for ownership and rental housing. This has historically been seen as a suitable measure of affordability in communities across the Province. O.Reg. 232/18 now only applies affordability in reference to inclusionary zoning (only applicable in Protected Major Transit Station Areas) and is set at 80% of the average resale purchase or average market rent. Shifting from an income-based approach dilutes the ability to achieve affordable housing for the community, as personal income is the main determinant of what an individual or household can afford – not average purchase prices/rents in individual markets. • This proposed change is not supported.
<p>Section 2.3, Settlement Areas and Settlement</p>	<p>Provides greater flexibility for municipalities to determine when and where to identify a <i>settlement area</i> or allow the expansion of a <i>settlement area</i> boundary (i.e., the requirement for a</p>	<ul style="list-style-type: none"> • Although a simplified approach may be appropriate for the purposes of minor expansions and rounding

<p>Area Boundary Expansions</p>	<p>municipal comprehensive review to permit <i>settlement area</i> expansions has been removed). In identifying a new <i>settlement area</i> or allowing a <i>settlement area</i> boundary expansion, planning authorities should consider factors such as servicing capacity, phasing, and agricultural impact.</p> <p>Encourages planning authorities to establish density targets for new <i>settlement areas</i> or <i>settlement area</i> expansion lands based on local conditions.</p>	<p>out of settlement areas, the elimination of comprehensive reviews could result in the premature expansion of settlement areas into prime agricultural lands.</p> <ul style="list-style-type: none"> • Establishing density targets is helpful, however it would be more beneficial if it were tied to promoting efficient use of land that supports active transportation and transit. Provincial leadership and guidance in this area is important. • This proposed change is not supported, as drafted.
<p>Employment</p>		
<p>Section 7 Definitions (<i>employment area</i>)</p>	<p>Revises the definition of <i>employment area</i> to exclude institutional and commercial uses, including retail and office uses, unless those institutional or commercial uses are associated with the primary employment area use (being manufacturing, research, and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities). The revisions to the definition of <i>employment area</i> matches corresponding amendments to the <i>Planning Act</i>.</p>	<ul style="list-style-type: none"> • Affords a higher level of protection to significant employment areas by reducing potential for conflicts and promoting flexibility for industrial operations. • Helps ensure institutional and commercial uses not related to the employment area are directed to appropriate areas of the community.
<p>Section 2.8, Employment</p>	<p>Includes various policies that direct planning authorities to protect and preserve industrial, manufacturing, and warehousing uses.</p>	<ul style="list-style-type: none"> • See comment above.

<p>Section 2.8.1.3 and 2.8.1.4</p>	<p>Promotes <i>complete communities</i> and mixed-use development by permitting a diverse mix of land uses, including residential, employment, <i>public service facilities</i>, and other institutional uses on lands for employment that are outside of <i>employment areas</i>.</p> <p>Provides that official plans and zoning by-laws shall not contain provisions that are more restrictive than Section 2.8.1.3 of the <i>Provincial Planning Statement</i>, except for the purposes of public health and safety.</p>	<ul style="list-style-type: none"> • Agree with approach to encourage complete communities outside of <i>employment areas</i>.
<p>Section 2.8.2.3, Employment Areas</p>	<p>Requires planning authorities to assess and update <i>employment areas</i> identified in official plans to ensure that this designation is appropriate to the planned function of <i>employment areas</i> (a shift from the direction that planning authorities “should” do this from the 2020 PPS).</p>	<ul style="list-style-type: none"> • This is reasonable.
<p>Section 2.8.2.4, Employment Areas</p>	<p>Provides that planning authorities may remove lands from <i>employment areas</i> where it has been demonstrated that there is an identified need for the removal, the land is not required for the long term, the proposed uses would not negatively impact the overall viability of the <i>employment area</i>, and infrastructure is available to accommodate the proposed uses (including transit and servicing).</p>	<ul style="list-style-type: none"> • The proposed change permits the conversion of employment lands at any time subject to the appropriate analysis. Although this is a departure from the 2020 PPS, which only permits the conversion of employment lands in the context of a municipal comprehensive review (except under limited circumstances), the proposed change is reasonable.

Infrastructure and Related Planning		
Section 3.1.2, General Policies for Infrastructure and Public Service Facilities	Provides that planning and investment in <i>infrastructure</i> and <i>public services</i> should be prioritized to support <i>strategic growth areas</i> as focal areas for growth and development.	<ul style="list-style-type: none"> • This is a reasonable policy and by way of example would be applicable to the Tecumseh Road Main Street Community Improvement Plan area.
Section 3.1.6, General Policies for Infrastructure and Public Service Facilities	Encourages planning authorities, in consultation with schoolboards, to consider and encourage innovative approaches in the design of school and associated childcare facilities, such as schools integrated in high-rise developments, in <i>strategic growth areas</i> , and other areas with a <i>compact built form</i> .	<ul style="list-style-type: none"> • Encouraging consultation between the Town and schoolboards is appropriate. The integration of schools in high-rises is out of context with our local condition. • The policy should also speak to the notion of schools being an integral part of neighbourhoods and located so that they are accessible to a majority of the student population by active transportation.
Agricultural Areas		
Section 4.3.2 Permitted Uses	Establishes that up to two ARUs may be permitted in prime agricultural areas subject to meeting guidelines.	<ul style="list-style-type: none"> • Town's OP permits only one ARU per property and makes it subject to a Zoning By-law amendment (ZBA) process. • This policy is contrary to proper resource management (protection of prime agricultural land) and growth management strategies.

		<ul style="list-style-type: none"> • This approach raises the potential for conflicting land uses (non-farm related residences in agricultural areas) and may result in increased requests for urban type service extensions (water, school buses, etc.). • It undermines the goal of developing complete, walkable, transit-oriented communities. • This proposed change should be limited to one ARU.
<p>Section 4.3.3.1 Lot Creation and Lot Adjustments</p>	<p>Promotes residential lot creation in <i>prime agricultural areas</i> by removing language that “discourages” lot creation and instead directs that lot creation in <i>prime agricultural areas</i> must be in accordance with specific conditions, thus fundamentally allowing up to three new non-farm lots on each farm lot.</p>	<ul style="list-style-type: none"> • As drafted, this policy would significantly increase the total number of non-farm lots created/homes constructed in the agricultural area, thus compounding the issues noted above. However, the current PPS 2020 policy also has inequities in that it seems unfair to bona fide farmers who are entering retirement age. Further consideration by the Province to address this matter is required. • Accordingly, this proposed change should be re-evaluated so as to remove the ability to create three new non-farm lots on each farm lot and to revise the current PPS 2020 policy so that it better addresses the

		needs of bona fide farmers.
Section 4.3.3.2, Lot Creation and Lot Adjustments	Imposes restrictions on official plans and zoning by-laws that are more restrictive on lot creation in <i>prime agricultural areas</i> by providing that official plans and zoning by-laws shall not contain provisions that are more restrictive than Policy 4.3.3.1(a) of the <i>Provincial Planning Statement</i> , except to address public or health and safety concerns.	<ul style="list-style-type: none"> • This section requires that the Town permit non-farm related residential lots in the prime agricultural area in accordance with section 4.3.3.1 above. • See comments above.
Section 4.3.3.3 Lot Creation and Lot Adjustments	Discourages non-residential lot creation in prime agricultural areas and is only permitted in accordance with specific conditions.	<ul style="list-style-type: none"> • Generally, support the concept of discouraging lot creation and land fragmentation in the agricultural area.
Section 4.3.5 Non-Agricultural Uses in Prime Agricultural Areas	Provides flexibility for non-agricultural uses on surrounding agricultural lands by creating an avenue for when avoidance of impacts from non-agricultural uses are not avoidable, by directing that an <i>agricultural impacts assessment</i> be provided.	<ul style="list-style-type: none"> • Adding flexibility for allowing non-agricultural uses and expansions in prime agricultural areas, as drafted requires greater clarity in where and how this would apply and needs to be approached with caution.

In summary, several of the policy changes appear reasonable. However, there are conflicting over-arching policies (support for complete communities while encouraging non-farm housing in the agricultural area) that are concerning. We believe there will be long-term adverse consequences from allowing such a dramatic increase in housing throughout the agricultural area. Doing so would undermine the goal of creating complete, fully-serviced and sustainable settlement areas while trying to protect prime agricultural areas for agricultural uses.

It should also be noted that the natural heritage policies and related definitions remain under consideration by the province. Once proposed policies and definitions are ready for review and input, they will be made available through a separate posting on the Environmental Registry of Ontario.

It is recommended that this Report be submitted to the province through the Environmental Registry of Ontario as comments from the Town of Tecumseh on the proposed 2023 PPS.

Consultations

County of Essex

Financial Implications

The policy approach of allowing non-farm residential development in prime agricultural areas should be approached with caution, as it could have the effect of undermining good growth management and fiscal responsibility. For example, more housing built outside of fully serviced settlement areas leads to fewer households contributing to the collection of development charges intended to fund sanitary sewer infrastructure that has already been constructed and paid for by the Town. It also results in increased pressure to provide costly urban services to agricultural areas in an inefficient manner.

Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

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Reviewed by:

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Director Development Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None