

Municipality of Chatham-Kent

Development Services

Planning Services

Information Report

To: Mayor and Members of Council

From: Ryan Jacques, MCIP, RPP
Director, Planning Services

Date: May 27, 2024

Subject: Proposed 2024 Provincial Planning Statement (PPS)

This report is for the information of Council.

Background

The Planning Act is provincial legislation that sets out the rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. The Planning Act sets out that decisions made by Municipalities affecting planning matters 'shall be consistent with' policy statements issued under the Act.

The Provincial Policy Statement (PPS) is issued under the Planning Act. The PPS provides comprehensive, integrated, whole-of-government policy direction on land use planning matters including:

- Growth management, housing and economic development;
- Infrastructure planning, including sewage, water and stormwater management services, transportation, transit, energy supply and corridor protection;
- Protection and management of resources, including prime agricultural areas, aggregates, natural heritage, water, and cultural heritage; and
- Protection of public health and safety, such as mitigating potential risks due to natural and human-made hazards.

The PPS along with the Chatham-Kent Official Plan provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

On April 6, 2023, the Ontario government released a proposed new Provincial Planning Statement, which is proposed to combine and replace the Provincial Policy Statement, 2020 (PPS), and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (does not apply to Chatham-Kent). The Provincial Planning Statement was posted on

the Environmental Registry of Ontario (ERO), for a commenting period that extended to August 4, 2023.

Council received an Information Report on this issue at its meeting held June 5, 2023¹.

On April 10, 2024, a Decision was posted to the ERO regarding the 2023 consultation². As a result, an updated Provincial Planning Statement with new and updated policies. The full text on the updated policies was posted to the ERO from April 12 to May 12, 2024³.

Formal planning related groups in which Chatham-Kent participates made submissions to the proposal. These include the Regional Planning Commissioners of Ontario, which made a submission on May 4, 2024⁴, and Western Ontario Wardens' Caucus whose submission is attached as Appendix A, was made on May 9.

Comments

The updated proposed Provincial Planning Statement consists of policies grouped under five pillars. Selected new policies with a greater degree of relevance to Chatham-Kent consist of:

1. Generate increased housing supply

The proposed policies would:

- Require municipalities to provide a range and mix of housing options with an expanded definition to include multi-unit types (laneway, garden suites, low and mid-rise apartments) and typologies (affordable, multi-generational, seniors, student housing).
- Encourage municipalities to establish phasing strategies to align growth with infrastructure needs in designated growth areas.
- Encourage all municipalities to focus growth and development in strategic growth areas to achieve higher density outcomes.
 - Require municipalities to collaborate with housing service managers to ensure land use policies and housing policies are aligned, including addressing homelessness and facilitating development of a full range of housing options and affordability levels to meet local needs
- Require municipalities to establish local targets for affordable housing based on reinstated definitions for affordable housing and low and moderate income households.
- Require municipalities to collaborate with publicly-supported post-secondary institutions on early and integrated planning for student housing, and encourage collaboration on the development of student housing strategies.

¹ <https://pub-chatham-kent.escribemeetings.com/filestream.ashx?DocumentId=10834>

² <https://ero.ontario.ca/notice/019-6813>

³ <https://ero.ontario.ca/notice/019-8462>

⁴ <https://rpco.ca/response-to-proposed-provincial-planning-statement-ero-posting-number-019-8462/>

During the 2023 consultations on the proposed Provincial Planning Statement, the Ontario government heard concerns from agricultural stakeholders regarding the proposed policies that would allow severances on farmland, and have proposed the following to protect agricultural viability:

- Not carry forward proposed policies permitting lot creation in prime agricultural areas.
- Require municipalities to direct development to rural settlement areas, and provide more flexibility for municipalities to service residential development in rural settlement areas.
- Permit more housing on farms to support farmers, farm families and farm workers without creating new lots, through enhanced policy and criteria supporting additional residential units.

2. Make land available for development

The proposed policies would:

- Require municipalities to plan for a minimum 20-year horizon but not more than 30 years, maintain a 15-year residential land supply and maintain land with servicing capacity for a 3-year supply of residential units.
- Provide a simplified and flexible approach for municipalities to undertake settlement area boundary changes at any time, with requirements for municipalities to consider additional criteria related to need for the expansion to accommodate growth, infrastructure capacity, phasing of growth, achievement of housing objectives, consideration of alternative locations to prime agricultural areas, and impacts on agricultural systems.
- Require municipalities to plan for and protect employment areas based on a definition of employment areas that would align with the Planning Act definition of “area of employment” amended through Bill 97 but not yet proclaimed.

3. Provide infrastructure to support development

The proposed policies would:

- Require municipalities to plan for water and wastewater infrastructure, and waste management systems.
- Require all municipalities and to consider allocation or potentially reallocation of unused servicing capacity to accommodate projected needs for housing.
- Require municipalities to protect corridors for major infrastructure, such as highways, transit and transmission systems and encourage municipalities to provide opportunities for the development of energy supply and storage to accommodate current and projected needs.
- Require municipalities and school boards to integrate planning for schools with planning for growth, and promote opportunities to locate schools near parks and open space.

4. Balance housing with resources

The proposed policies would:

- Require municipalities in central and southern Ontario to identify natural heritage systems and require municipalities across the province to protect provincially-significant natural heritage features and areas.
- Require municipalities to direct development outside of hazardous lands and sites in collaboration with conservation authorities.
- Require municipalities to prepare for the impacts of a changing climate through land use planning, develop approaches to reduce greenhouse gas emissions, and improve air quality.

5. Implementation

The proposed policies would:

- Align with recent legislative amendments
- Require municipalities to undertake early engagement with Indigenous communities and coordinate with them on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
- Affirm that efficient land-use patterns contribute to increased equitable access to housing in strategic growth area, employment, and transportation, and encourage municipalities to apply an equity lens on planning matters and engage stakeholders early in the process
- Encourage coordination, particularly on intermunicipal topics.

The Province is also proposing an approach to implementation of the new document, if approved. These include the proposed approach to the following:

- The effective date would be the date specified under the Planning Act. To provide municipalities and other planning authorities an opportunity to understand and adapt to the policy changes, the ministry is proposing to release the final policies for a short period of time before they take effect. The Planning Act requires official plans to be revised every five years (or every ten years after a new official plan). The intention is that official plans would be updated as necessary to implement these new policies at the time of their ordinary review cycle.
- However, should the Provincial Planning Statement come into effect, decisions on land use planning matters made by planning authorities are required to be consistent.

Council Term Priorities

This report supports the following Council Term Priorities:

			
Deliver Excellent Service	Promote Safety & Well-Being	Grow Our Community	Ensure Environmental Sustainability

Consultation

No consultation was required in preparing this report.

Communication

Communication is proposed to be through the inclusion of this report on the Council agenda and related communications.

Ongoing dialogue regarding this issue is occurring with land use planning related groups which Chatham-Kent participates, including the Regional Planning Commissioners of Ontario, Western Ontario Wardens' Caucus Planners Group, and the Rural County Planning Directors Network.

Diversity, Equity, Inclusion and Justice (DEIJ)

This report does not have implications related to diversity, equity, inclusion or justice.

Financial Implications

There are no financial implications resulting from this report.

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Attachment: Appendix A – WOWC Letter re ERO Posting 019-8462