

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 18-2023

Council Meeting Date: June 27, 2023

TO: Mayor Cook and Members of Council
FROM: Will Nywening, Senior Planner
RE: Proposed New Provincial Policy Statement
RECOMMENDATION:

THAT Report PL 18-2023 regarding a draft of a new Provincial Planning Statement be received.

SUMMARY

This report provides an update to ongoing consultation by the Province respecting a draft of a new Provincial *Planning* Statement (PPS). The proposal is Environmental Registry of Ontario (ERO) number 019-6813, formally described as a “Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument”.

BACKGROUND

Staff previously reported in Report PL 09-2023 (attached) that the Province revealed a draft on April 6, 2023 of what is being called the Provincial *Planning* Statement. It would replace and consolidate the current 2020 Provincial *Policy* Statement and the document called A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

As an update to that, the Province has:

- Extended the comment period to August 4, 2023
- Now released the Natural Heritage Policies of the new PPS
- Reportedly changed intentions with respect to severance policies for residential lots in prime agricultural areas

Natural Heritage Policies (not included in the initial draft of the new PPS) were released June 16, 2023. Surprisingly, there are no changes to the policies themselves, and only minor changes to the associated definitions. The definition of “natural heritage features and areas” no longer mentions “habitat of endangered species and threatened species”, though this term is still defined and policy 4.1.7 continues to restrict development therein. The definition of “significant” has minor changes that potentially affect what wetlands, coastal wetlands, areas of natural and scientific interest, and woodlands are considered significant. The definition now refers to “criteria and procedures established by the Province”, whereas it previously made reference only to “criteria” in the case of

woodlands, and only to “procedures” in the case of wetlands and ANSIs, and in the case of both referred specifically to the “Ministry of Natural Resources and Forestry” rather than just “the Province”. The primary change seems to be in that the areas currently subject to “A Place to Grow” will again be subject to the same natural heritage policies as the rest of the province.

Residential Severances in Prime Agricultural Areas: in the draft PPS, as reported in Report PL 09-2023, the province had proposed to allow up to three residential lots to be severed from an existing farm parcel, subject to meeting several criteria. This is in addition to the surplus dwelling severances that are already permitted. Reports in the media quote communications from Minister Clark to the Ontario Federation of Agriculture stating that the province will not carry forward with the three residential lot policy due to negative input from the agricultural sector on this matter.

Draft Document: Staff has attached the updated ERO posting, which includes links to additional information and a copy of the draft PPS. The three residential severance policy has yet to be removed from the agricultural area policies. Staff has also attached the add/delete document (produced by Osler et al LLP) that it provided to Council with the previous report. It shows the existing natural heritage policies and related definitions in strike-through, but they are now proposed to be “re-instated” with the minor changes noted above.

ALTERNATIVES TO CONSIDER

None at this time.

RECOMMENDED ACTIONS

This report is provided for Council’s information. It is recommended that Council receive Report PL 18-2023.

FINANCIAL IMPACT

There is no direct financial impact.

CONSULTATION

Staff has had preliminary discussions with County of Lambton Planning and Development Services, attended a webinar by Aird & Berlis LLP on May 9, 2023, and has monitored discussions among various Planning forums.