

May 5, 2023

Hon. Steve Clark
Minister of Municipal Affairs & Housing
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, ON M7A 2J3

via email: minister.mah@ontario.ca

RE: Helping Homebuyers, Protecting Tenants Act & the Proposed 2023 Provincial Planning Statement

Dear Minister,

I am writing on behalf of the Council of the County of Middlesex to provide our thoughts on the Helping Homebuyers, Protecting Tenants Act and the proposed 2023 Provincial Planning Statement (PPS), from the perspective of our rural and small urban communities.

Firstly, I commend the government's initiative to address the housing crisis and the ambitious goal of building 1.5 million homes by 2031. Rural and small urban communities in Ontario face unique challenges in housing affordability, availability, and accessibility. I would note that many rural and small urban communities have demonstrated the ability to provide housing opportunities. According to the 2021 Census, over a five-year period, the County of Middlesex accommodated 9% population growth and I am proud that my home municipality, the Township of Lucan Biddulph, accommodated 21% population growth over this period.

The proposed Provincial Planning Statement, providing municipalities with more flexibility, could offer opportunities to create more homes and support local economies in our communities. The Provincial Planning Statement acknowledges the need for growth and development beyond major urban centers. Coordination between municipalities and school boards to consider school and childcare needs early in the planning process is also an essential consideration, which will contribute to the quality of place for families moving to new housing. However, it is crucial to ensure that these changes do not compromise the quality and sustainability of rural and small urban areas and our communities have concerns regarding the potential impacts of some of the proposed changes.

Agriculture is the predominant land use within Middlesex County and an important component of the economy and culture. For the most part the proposed changes to the PPS agricultural policies appear to be reasonable. We do however have significant concern with the proposal to allow residential lot creation within prime agricultural areas. The proposed policy would allow the creation of up to three new residential lots from a parcel of land that existed on January 1, 2023 subject to criteria. We are very concerned that the creation of residential lots across the country-side will have significant impacts on other provincial and local interests including agriculture (especially livestock farming); the availability of mineral aggregate resources close to markets; the provision of municipal services; on the Provincial and County Road networks; and that the resultant scattered residential development could occur at the expense of this growth occurring in our small urban communities.

The potential impact of the residential lot creation within prime agricultural areas policy is staggering for Middlesex County. It is estimated that within Middlesex there are approximately 7,100 parcels that may qualify for this policy based upon our current understanding of the criteria. If three lots were severed from all such parcels, over 21,000 residential lots could be created within the agricultural area (of course not all land-owners would do this, but many would). At one acre in size, this would equate to the loss of

21,000 acres of farmland. In comparison, 21,000 acres of land could accommodate 90,000 new residential units if that growth was directed to fully serviced urban areas. If the goal is to create 21,000 new residential lots, this could be accomplished within urban areas on 75% less agricultural land. Instead of this approach, we thought that there might be consideration for the further division of existing non-farm parcels within the agricultural area to provide additional rural housing opportunities while at the same time minimizing the impact on agriculture.

The second area that I would like to highlight, is the proposed inter-related changes regarding settlement expansions and the move to an unspecified maximum planning horizon. We welcome additional flexibility for municipalities to review and update settlement boundaries however we are concerned that the proposed policies will put land speculation ahead of growth management. Settlement expansions should be encouraged where initiated by municipalities or, at a very minimum, a municipality should be able to deny a private proposal to expand a settlement and that decision be unappealable. If not, it could simply lead to uncoordinated settlement expansions due to continuous pressure from development proponents to expand in multiple directions. This would likely result in municipalities unable to complete actual growth planning and infrastructure projects that are necessary to sustainably accommodate growth and build great communities. The ad-hoc expansion of settlement areas without a fulsome analysis and justification would appear to contradict other provincial and local objectives including efficiently using land and infrastructure; preserving agricultural land; encouraging density, intensification and range of housing; building complete communities etc.

The specification of a minimum planning horizon time frame but not a maximum will leave municipalities open to successive applications for additional lands at an ever-expanding time frame. A maximum time frame for planning for growth and clear justification for settlement expansion is necessary to provide certainty and consistency in planning for growth and infrastructure and other public services (i.e. schools and other public facilities) and achieving complete communities. When municipalities make decisions to expand settlement boundaries, there are many complex factors that must be considered including the ability to cost effectively service the lands. Municipalities must be, subject to provincial oversight, the decision maker on which settlements grow and the manner in which settlements grow.

Cumulatively, these proposals and both intended and unintended policy outcomes have the potential to have detrimental impacts on municipal infrastructure, including roads, bridges, water, wastewater, and stormwater infrastructure. The policies may lead to dispersed development patterns, which can strain municipal resources and result in inefficient service provision. Such development may require costly upgrades and expansions of existing infrastructure, placing a heavy financial burden on municipalities, particularly those with limited financial resources.

The need for adequate provincial funding to support municipal infrastructure projects is crucial to address the challenges posed by dispersed development patterns. The proposal's potential to encourage land speculation ahead of growth management may lead to uncoordinated settlement expansions, which can hinder effective growth planning and infrastructure investments. By ensuring that municipalities have access to sufficient funding and support, the province can facilitate sustainable development and help create complete communities that efficiently utilize land, infrastructure, and public services.

One final comment concerning the Provincial Planning Statement, there is proposed policy that speaks to the coordinating of land use planning and planning for housing with Service Managers. As you know, for Middlesex County, the City of London is the Service Manager and we would want to ensure that the intent of this policy is not to couple land use planning decisions between Middlesex County and the City of London. We have a strong working relationship with London on many areas of mutual benefit but are separate municipalities with our own land use planning and housing needs.

The proposed changes to the Planning Act and the PPS could offer support for housing supply priorities. However, we urge the government to provide clear guidelines for these changes, ensuring the integrity of rural and small urban development.

The investment of \$6.5 million to appoint additional adjudicators and staff to the Landlord and Tenant Board is welcomed. We hope that this will improve service standards and reduce decision timeframes

for our communities' renters. The proposed enhancements to tenant rights, including those regarding air conditioners, evictions, and landlord's own use, are crucial to protect renters in rural and small urban areas. The expansion of deposit insurance for First Home Savings Accounts held at Ontario credit unions will benefit first-time homebuyers in our communities. We encourage the government to consider further support for rural and small urban homebuyers, such as additional incentives or financial assistance programs.

The exploration of a cooling-off/cancellation period for purchases of new freehold homes and the requirement for legal advice on purchase agreements are promising steps to protect homebuyers. However, we recommend that the government carefully consider the potential impact on housing supply and affordability of this policy change on rural and small urban areas.

Finally, I would be remiss if I did not remind you that Middlesex County recently undertook an extensive Official Plan Update process that included a robust community engagement campaign and concluded with the adoption of a significant amendment to the County's Official Plan. Middlesex County has been patiently awaiting a decision from the Ministry on this official plan amendment for almost a year now. This delay has impacted our ability to take action on a range of rural land use matters that we feel are key to the continued success and vitality of Middlesex County's many rural and small urban communities. Middlesex County and our local municipalities want to be part of the building more homes faster, we are willing partners and want to work with you on this challenge.

In conclusion, we appreciate the government's efforts to address the housing crisis and encourage continued collaboration with municipalities, particularly rural and small urban communities. We look forward to further participating in the 60-day consultation on the proposed new Provincial Planning Statement and will actively engage in further discussions to ensure the needs of our communities are met.

Yours truly,

A handwritten signature in black ink, appearing to read 'Cathy Burghardt-Jesson'. The signature is fluid and cursive, with a large initial 'C' and 'B'.

Cathy Burghardt-Jesson, Warden

cc. *Hon. Monte McNaughton, Minister of Labour, Immigration, Training and Skills Development*
Rob Flack, MPP, Elgin-Middlesex-London