



## Committee of Whole

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**Meeting Date:** February 14, 2023  
**Submitted by:** Durk Vanderwerff, Director of Planning and Development  
**Subject:** Lucan Biddulph Official Plan Amendment No. 11; File No. 39-LB-OPA11; Housekeeping Amendment

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### **BACKGROUND:**

The Township of Lucan Biddulph initiated an Official Plan Amendment to implement policies as a result of recent amendments to the Planning Act through 'Bill 13 – Supporting People and Supporting Businesses Act', 'Bill 276 – Supporting Recovery and Competitiveness Act' and 'Bill 109 – More Homes for Everyone Act'.

Cumulatively, the changes to the Planning Act primarily focus on increasing housing supply by changing municipal decision-making processes. The changes include the requirement to refund certain application fees where timelines are not met, changes to site plan control (approval timeframes, mandatory delegation to staff, etc.), the optional delegation of minor zoning by-laws to staff, and others.

Some of the Planning Act changes can only be used by municipalities if there is enabling policy within the local official plan. Amendment No. 11 would include policies within the Township Official Plan to address these matters and enable the Township to utilize the new authorities. A copy of Amendment No. 11, the local planning report, and a proposed modification are appended to this report.

County Council is the Provincially delegated Approval Authority for local official plan amendments. This report summarizes the planning policy context and provides a planning recommendation for Council from the perspective of the Approval Authority. More detailed local planning analysis, as provided to Lucan Biddulph Council, is provided within the attached local planning report.

### **ANALYSIS:**

The amendment was initiated by the Municipality on November 2, 2022 and adopted by Lucan Biddulph Council at their December 6, 2022 meeting. The submission was accepted as complete by the County and a further agency / ministry circulation was not undertaken given the nature of the changes. During the local process, the Township

undertook public and stakeholder engagement and the County received no written submissions concerning Amendment No. 11.

As noted above, there are several changes to the Planning Act that cannot be used by municipalities until the local official plan is updated. For example, municipalities are now allowed to require for site plans 'complete applications' but only if there are policies within the official plan. This authority allows municipalities to "pause the clock" where a 'complete application' is not submitted. Another example, in order for a municipality to utilize the optional delegation of minor zoning by-laws to staff, the official plan must specify the types of by-laws that may be delegated. The delegation of this authority is discretionary and requires municipal council to subsequently pass a delegation by-law.

It is noted that there is one minor wording issue within Amendment No. 11 that was not identified until after the official plan was locally adopted. Bill 23 exempted residential development of 10 or less units from site plan control. It is therefore proposed to remove wording that references site plan drawings for residential developments containing more than three dwelling units (the previous standard) and replace it with wording that refers to where site plan is required by statute (the Planning Act). Referring to the Act itself provides for flexibility in the event that further amendments are made to the Planning Act. Township staff are in agreement with this modification.

I have reviewed Amendment No. 11 against the Provincial Policy Statement, the County Official Plan, and the Lucan Biddulph Official Plan. I am satisfied that Amendment No. 11, with the proposed modification, is consistent with the PPS, conforms to the intent and purpose of the County's Official Plan and the Lucan Biddulph Official Plan, and represents sound land use planning. Amendment No. 11 would directly implement recent legislative changes. I am therefore recommending approval of Official Plan Amendment No. 11 with the above noted modification.

#### **FINANCIAL IMPLICATIONS:**

Application fees are not collected for Approval Authority applications that are initiated by local municipalities.

#### **ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

| <b>Strategic Focus</b>    | <b>Goals</b>   | <b>Objectives</b>   |
|---------------------------|--|---|
| Strengthening Our Economy | Encourage a diverse and robust economic base throughout the county | Create an environment that enables the attraction and retention of businesses, talent, and investments<br>Support the development and prosperity of downtown core areas in Middlesex County |

**RECOMMENDATION:**

That Amendment No. 11 to the Lucan Biddulph Official Plan be approved with modification and that staff be directed to circulate a Notice of Decision as required by the Planning Act, and that the Notice of Decision indicate that no written submissions were received concerning this application.

*Attachments*