



County Council

Meeting Date: September 12, 2023

Submitted by: Durk Vanderwerff, Director of Planning and Development

Subject: Lucan Biddulph Official Plan Amendment No. 10; Municipal Comprehensive Review and General Official Plan Update; File No. 39-LB-OPA10

BACKGROUND:

Municipalities are required by the Planning Act to review their official plan to ensure the document has regard to matters of provincial interest and is consistent with the Provincial Policy Statement. Additionally, the review must conform to the County Official Plan and reflect current circumstances. To meet these requirements, the Township of Lucan Biddulph carried out a Municipal Comprehensive Review / General Official Plan Update.

Amendment No. 10 to the Lucan Biddulph Official Plan aims to incorporate the findings of the Municipal Comprehensive Review / General Official Plan Update. The proposed changes would address matters of provincial interest, address the 2020 Provincial Policy Statement, align with the County Official Plan (including Amendment No. 3 as approved and modified by the Province), update population and housing projections, account for 25-years of projected land needs, update the growth management strategy, provide enhanced direction concerning medium, and high density residential development, include additional residential unit, garden suite, and tiny dwelling policies, and update the land use and mapping schedules.

County Council has the authority to approve locally adopted official plan amendments on behalf of the Province. This report summarizes the planning policy context and provides a planning recommendation for Council as the Approval Authority. Additionally, this report contains a copy of Amendment No. 10 including the Township's Municipal Comprehensive Review Report, recommended modifications and correspondence received by the County concerning the Amendment. This report recommends approval of Amendment No. 10 subject to modifications.

ANALYSIS:

The Township initiated the Municipal Comprehensive Review / General Official Plan Update process in 2020 and concluded the local process with the adoption of Amendment

No. 10 in May of 2022. The Township's process included open houses, public meetings, and the completion of several planning reports in an iterative planning process. Following adoption, Amendment No. 10 was submitted to the County as the Approval Authority however the processing was impacted by the Provincial review of County Official Plan Amendment No. 3.

Agency / Ministry / Public Comments

As part of the County's review, an agency / ministry circulation was conducted. Overall, there were only a few comments received during this circulation, and the majority of these comments were addressed, considered, or led to recommended modifications, particularly taking into account the input from the Chippewas of the Thames First Nation. It is noted that most agencies did not raise concerns.

During the local planning process conducted by the Township, a significant amount of public input was received. The feedback varied, with some expressing concern that there was too much growth occurring, while others felt that insufficient growth was being accommodated. Input was received concerning proposed policy changes and several landowners requested that their lands be included within Lucan for future development. In total, over 250 hectares of land was requested to be included within Lucan however the municipal comprehensive review supported adding 55 hectares of land.

After Amendment No. 10 was locally adopted, the County received correspondence from a landowner (attached) requesting that their lands be included within the boundary of Lucan for residential development. It is noted that before adopting Amendment No. 10 Township Council had information from the affected landowner and there is nothing in the submitted material which leads me to recommend that County Council modify Amendment No. 10 in this regard. Ultimately, the Township decided to expand Lucan in a westerly and northerly direction at this time and therefore the landowner's property is not entirely included within the boundary of Lucan.

Policy Review

The Planning Act requires that municipalities have regard to matters of provincial interest, as set out in Section 2 of the Act. These include the protection of agricultural resources, the orderly development of safe and healthy communities, the adequate provision of a full range of housing, and the appropriate location of growth and development, among other matters.

The 2020 Provincial Policy Statement (PPS) sets out the government's land use planning policies that must be considered when municipalities update official plans. The broad objectives of the PPS include sustainable development, land use compatibility, protection of resources, support for infrastructure, responsible growth management, heritage conservation, and the protection of public health and safety.

The PPS directs new growth to settlement areas where full municipal services, appropriate land use patterns, and a mix of land uses can be provided. The PPS seeks

to avoid impact on agricultural and natural heritage resources and states that settlement areas may be expanded only at the time of a comprehensive review. The PPS requires municipalities to plan for projected land needs for up to a 25-year planning horizon.

The County Official Plan (including Amendment No. 3 as approved and modified by the Province) directs and guides land use policy on a broad basis and does not address, in any great detail, those planning matters which are better dealt with by local official plans. Local official plans are intended to complement the County Official Plan by providing more detailed strategies, policies, and land use designations. The County Official Plan sets out a growth management hierarchy which directs new development to settlement areas fully serviced by municipal water and sewage services as a means of protecting agricultural, aggregate, and natural heritage resources.

It is my opinion that Amendment No. 10 subject to recommended modifications satisfies the planning policy tests.

Municipal Comprehensive Review

An important component of Amendment No. 10 is the implementation of the Municipal Comprehensive Review which includes a land balance analysis in support of the expansion of Lucan. The PPS provides for the expansion of settlement area boundaries only at the time of a comprehensive review and only where it has been demonstrated that criteria are satisfied.

The PPS criteria cover a wide spectrum of considerations. They prioritize managing growth through intensification, redevelopment, and development of existing growth areas, while also addressing projected needs up to a 25-year timeframe. These factors are to be integrated with infrastructure planning and account for agricultural concerns, including avoiding specialty crop areas, assessing alternative locations, and mitigating impacts on agricultural operations. They are to uphold provincial interests, explore different growth directions, and consider cross-jurisdictional issues.

The population and housing projections for the Township reflect the County's projections. Based upon the projections, an inventory of lands already designated and available for growth, and the settlement expansion criteria, the Municipal Comprehensive Review recommended the designating of approximately 55 net hectares of land for residential growth. The map schedule updates would also recognize parks and recreation lands where no new growth would occur.

The Municipal Comprehensive Review recommended that all additional lands for growth be directed to Lucan (over Granton) and evaluated alternative directions for growth against opportunities and constraints for the expansion of Lucan. In general, the Township made the determination to expand Lucan generally in a westerly and northerly direction.

After reviewing the numbers and after consulting with the Municipality on several occasions, it is concluded that the net impact of all of the changes to the land use

schedule is the loss of approximately 55 hectares of agricultural lands. This is supported by the land balance analysis which forms the basis of Amendment No. 10 and which is reasonable.

It is my opinion that Amendment No. 10 subject to recommended modifications satisfies the comprehensive review tests of the PPS and the County Official Plan.

Proposed Modifications

Following acceptance of Amendment No. 10, County Planning staff identified recommended revisions aimed at enhancing clarity, improving the comprehension of policies, rectifying minor typographical errors, and ensuring alignment with provincial policies and changing provincial legislation. A few modification requests were received during the agency / ministry circulation process, including feedback from the Chippewas of the Thames First Nation.

It's noteworthy that the adoption of Amendment No. 10 took place prior to the approval of Amendment No. 3 to the County Official Plan by the Province. This necessitated an additional review to ensure conformity with the changes introduced by the Province. Township staff have reviewed the proposed modifications (attached) and are in agreement with them.

Conclusion


Based on the above, it is my opinion that Amendment No. 10 subject to recommended modifications has regard for matters of provincial interest, is consistent with the Provincial Policy Statement, conforms to the intent and purpose of the County Official Plan and represents good land use planning. I am therefore recommending approval of Amendment No. 10 subject to modifications.

FINANCIAL IMPLICATIONS:

The budget expense related to the provincially delegated Approval Authority responsibility for local official plans is offset, to an extent, through the collection of application fees although fees are not collected for municipally initiated official plan amendments such as this. The approval of development and the accompanied community growth has indirect long-term financial implications.

ALIGNMENT WITH STRATEGIC FOCUS:

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

Strategic Focus	Goals	Objectives
<p>Strengthening Our Economy</p> 	<p>Encourage a diverse and robust economic base throughout the county</p>	<ul style="list-style-type: none"> • Support opportunities to create a stronger and sustainable agricultural sector • Create an environment that enables the attraction and retention of businesses, talent, and investments • Support the development and prosperity of downtown core areas in Middlesex County

RECOMMENDATION:

THAT Amendment No. 10 to the Lucan Biddulph Official Plan be approved with modifications 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 Middlesex County considered all written submissions received on this application; the effect of which helped to make an informed recommendation and decision.

Attachments