



Committee of the Whole

Meeting Date: October 10, 2023

Submitted by: Durk Vanderwerff, Director of Planning and Development

Subject: Southwest Middlesex Official Plan Amendment No. 3;
Municipal General Official Plan Update; File No. 39-SWM-OPA3

BACKGROUND:

Municipalities are required by the Planning Act to review their official plan to ensure the document has regard for 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 Municipality of Southwest Middlesex carried out a General Official Plan Update.

Amendment No. 3 to the Southwest Middlesex Official Plan aims to incorporate the findings of the 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, provide direction concerning matters including additional residential units, garden suites, permitted uses within agricultural areas, minimum distance separation, natural heritage, drinking source water protection, and active transportation.

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. 3, and a local planning report. This report recommends approval of Amendment No. 3 subject to modifications.

ANALYSIS:

The Municipality initiated the General Official Plan Update process in January 2022 and concluded the local process with the adoption of Amendment No. 3 in October of 2022. The Municipality's process included an open house, public meetings, and the completion of background reports. Following adoption, Amendment No. 3 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, the Kettle and Stony Point First Nation, and the conservation authorities. It is noted that most agencies did not raise concerns.

During the local planning process conducted by the Municipality, limited public input was received. This was in part as a result of the fact that the Municipality undertook a General Official Plan Update but did not undertake a Municipal Comprehensive Review for the expansion of settlement areas. At the outset of the process, it was determined that sufficient lands were designated for development to address projected needs up to a 25-year timeframe without the designation of additional lands. After Amendment No. 3 was locally adopted, the County did not receive additional correspondence from the public.

Policy Review

The Planning Act requires that municipalities have regard for 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.

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. 3 subject to recommended modifications satisfies the planning policy tests.

Proposed Modifications

Following acceptance of Amendment No. 3, 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.

It's noteworthy that the adoption of Amendment No. 3 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. Municipal 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. 3 subject to the 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. 3 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
Strengthening Our Economy 	Encourage a diverse and robust economic base throughout the county	<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. 3 to the Municipality of Southwest Middlesex 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 did not receive written submissions concerning this Amendment.

Attachments