



REPORT

Development Services - Planning

TO: Mayor and Members of Council
FROM: Cody Morrison, Chief Planning Official
DATE: January 13, 2025
REPORT: DS-04/25 **FILE NO.**

SUBJECT: Letter from Province regarding Amendments to Ontario Regulation 525/97 to Exempt Official Plan Matters from Minister's Approval

Over two years ago, on October 25, 2022, the province tabled Bill 23 (More Homes Built Faster Act, 2022) which introduced various changes to the *Planning Act*, and other pieces of legislation. Bill 23 defined Durham Region as an upper tier municipality without land use planning responsibilities. In April 2024, Bill 185 (Cutting Red Tape to Build More Homes Act, 2024) outlined that the change to the regional planning responsibility would take effect on a date to be proclaimed by the Lieutenant Governor.

On November 5, 2024, the Province provided a letter to the Township advising that January 1, 2025 was intended to be proclaimed as the date on which Durham Region will become an upper-tier municipality without land use planning responsibilities.

In the same letter, the Province highlighted proposed changes to Ontario Regulation 525/97 (Reg. 525/97) under the *Planning Act* which addresses approval authorities for official plan matters in the absence of an upper-tier municipality.

On December 23, 2024, the Province provided a further letter to the Township advising that the proposed changes to Reg. 525/97 would take effect as previously indicated (see Letter from the Ministry of Municipal Affairs and Housing, Attachment #1).

The amendments to Reg. 525/97 have the effect of granting all lower-tier municipalities in Durham Region delegated approval authority for certain official plan matters by being included on the Schedule to Reg. 525/97. This means that the Township of Uxbridge is now the approval authority for the majority of Official Plan Amendments adopted by Council.

Through Ontario Regulation 525/97, the only land use planning matters which now require Provincial approval going forward are the following:

- (i) New official plans;
- (ii) Municipally initiated official plan amendments (OPAs) to update the official plan to bring into conformity or consistency with provincial (under Section 26 of the Planning Act); and
- (iii) OPAs addressing policies required in connection with protected major transit station areas (PMTSAs).

The Province also confirmed that given the change in regional planning responsibility, which is now in effect, the applicable parts of the current Durham Regional Official Plan (Envision Durham) will now be part of the local official plan. As such, the Township will be responsible for maintaining such plan, together with our current official plan.

DISCUSSION:

The changes to Ontario Regulation 525/97 were necessary in order to clarify the approval authority for official plan matters in the absence of the regional planning responsibility.

Until January 1, 2025, the Region of Durham has been the approval authority for all official plan matters in the Township, including site specific amendments to the Uxbridge Official Plan. However, the Region would routinely and consistently exempt local official plan amendments from their approval, particularly those that were minor in nature or site-specific.

The changes made to Reg.525/97 largely reflect the current approval process and practices for local official plan matters, however, in place of Regional approval the Province will now be the approval authority.

On December 18, 2024, Development Services staff met with staff from the Ministry of Municipal Affairs and Housing (MMAH) to discuss the transition of planning responsibilities and changes to Reg. 525/97. MMAH staff outlined details on how lower-tier municipalities should engage with the Province for both official plan matters where they are the approval authority and those matters where they are not. They highlighted that municipalities are still encouraged to engage with the Region of Durham on official plan matters despite them no longer being the approval authority.

In accordance with the *Planning Act*, the Township will be required to undertake an Official Plan Review. The review is required in order to bring the Township's Official Plan into conformity with provincial planning policy but will also serve as an opportunity to consolidate the relevant policies of Envision Durham together with the Township's Official Plan, to create one comprehensive document. Staff will seek direction from Council regarding the initiation of the Official Plan Review within the first quarter of 2025.

With respect to the removal of upper-tier planning responsibilities, Development Services staff continue to engage with the Region regarding the transition of active applications for draft plan of subdivision, draft plan of condominium and part-lot control

and the Townships new responsibilities regarding planning policy and development review.

CONCLUSION:

As highlighted above, the changes to Reg. 525/97 largely reflect the current approval processes and practices for local official plan amendments, with the most substantial change being that the approval authority will no longer be the Region but the Province. At this time, these changes do not appear to pose any implications to the processing of official plan amendments.

Staff will report back to Council at a later date regarding the implications of the removal of upper-tier planning responsibilities including those related to review timelines, staff resources and engagement with the Region on their interests through the planning process. At that time, staff will make recommendations to address such implications and obtain direction from Council.

RECOMMENDATION

THAT Report DS-04/25 of Cody Morrison, Chief Planning Official be received for information.

Respectfully Submitted by:

Cody Morrison
Chief Planning Official
Development Services Department