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MEETING DATE: February 3, 2026

REPORT

TO: Council,
Township of Lucan Biddulph

FROM: Dan FitzGerald MPI MCIP RPP, Manager of Planning
Scott Allen and Jennifer Gaudet, MHBC

RE: ZBA 01-2026
Housing Accelerator Fund Zoning By-law Amendments

Purpose:

The purpose and effect of the amendment is to implement key initiatives under the Housing Accelerator Fund (HAF), reflecting the Township's commitment to supporting a range and mix of housing options that respond to community needs and align with growth objectives. This amendment introduces updated housing regulations to provide more direction on the provision of diverse housing types, including additional residential units (ARUs), and to guide the form and character of new residential development. More specifically, the amendment advances specific HAF initiatives including: ending exclusionary zoning that limit the range of housing forms in certain areas; removing unnecessary restrictions on residential development to enable timely and efficient housing delivery; reducing parking standards; and establishing design and implementation guidelines to support the integration of ARUs in a manner that respects neighbourhood character while increasing housing supply. These changes would be applied on a municipal-wide basis and would apply to all lands within the Township.

Background:

The Township was successful in receiving grant funding from the Federal Government through what is referred to as the Housing Accelerator Fund (HAF2), which is administered by the Canada Mortgage and Housing Corporation (CMHC). The program is intended to drive transformational change within the sphere of local government regarding land use planning and development approvals. The Fund's objective is to create more housing supply at an accelerated pace and to enhance certainty in the approvals and building process. This is part of the collective strategy to achieve more housing options for people to grow within our community with varying levels of affordability.

Lucan Biddulph is set to receive \$2.62 million in funding from 2025 to 2028. As part of the requirements of this funding, the Township must reach a target of 343 new housing units by the end of the program and must prepare and implement a Housing Action Plan. Part of the Housing Action Plan requires

assessing and amending existing zoning permissions and seeking opportunities to reduce the need to request special permissions from Council, which is typical of planning process today.

As identified through the Housing Action Plan, the Township committed to the following categories to be addressed in a zoning update:

1. End Exclusionary Zoning

Exclusionary zoning refers to zoning rules that can have the effect of preventing certain types of housing from being built in communities. Common types of exclusionary zoning practices could require larger than necessary minimum lot sizes or bans on higher density types of housing such as townhomes or apartments. Exclusionary practices can have the effect of reducing affordability in housing, providing unequal access to housing options, and limiting the availability of housing units making it difficult for community members to stay in the community as they age. The Township's zoning amendment will seek to reduce exclusionary zoning practices by opening up all zones to appropriate levels and options for housing. Rather than prohibiting uses, the level and appropriateness of development is determined based on lot coverage permissions, parking standards and setbacks.

2. Reduce or Eliminate Parking Standards

Refers to creating opportunities to create more flexibility in parking arrangements. This includes reducing parking requirements for seniors housing facilities, affordable housing units, and introducing formal options for shared parking strategies that are currently not contemplated in the zoning by-law. Eliminating parking standards is not proposed for Lucan Biddulph.

3. Eliminate Restrictions and Add Flexibility

Refers to permitting flexibility for zoning conditions where we typically see requests for minor variances or zoning amendments such as minimum lot sizes, the maximum number of units, lot coverage, setbacks and height limits. Appropriate standards are proposed based on today's building standards and homeowner's desires to have larger homes on smaller lots, making home more affordable to members in our community.

4. Design and Implement Guidelines for Additional Residential Units Township wide

Refers to preparing regulations to permit Additional Residential Units (ARUs) to and the preparation of a guide to assist residents with understanding ARUs. When it comes to the question about as-of-right, this simply means the zone permits uses to establish such as additional residential units without the need to seek additional permissions from Council. The province introduced as-of-right zoning permissions for additional residential units in Ontario in 2024 through the enactment of Provincial Planning Statement 2024. The Amendment proposes to add references to these as of right uses to ensure the Township is providing direction to the public and staff when reviewing applications.

These Housing Action Plan goals stated above are from the CMHC HAF Best Practices.

The CMHC has identified ending exclusionary zoning as a priority strategy to promote housing supply and affordability, stating that this is intended to:

- “Stop low-density zoning and regulation that excludes housing types, such as affordable and social housing and which limits the variety of housing typologies in residential areas.
- Encourage mixed-use and high-density residential development by allowing as-of-right zoning within proximity to urban centres and rapid transit.
- A proactive approach includes adopting by-laws with as-of-right zoning measures to increase height and density.”

The CMHC has additionally identified zoning provisions as an obstacle to building new housing, and have identified eliminating or reducing certain zoning provisions as an initiative to increase housing supply, stating that municipalities should:

- “Eliminate restrictions and add flexibility related to height, setbacks, building floor area and other regulations to allow greater variety in housing types and density, including accessory dwellings.
- Reduce and streamline urban design guidelines such as height restrictions, visual character requirements, view cones, setbacks and angular planes to support higher density and improve project viability.
- Increase allowable floor area (FAR/FSR) for new developments.
- Update policies to facilitate the conversion of vacant and underused commercial properties to residential and mixed-use.
- Explore form-based zoning as an alternative approach, that focuses on the form and scale of residential buildings in relation to the lot. This approach focuses on the physical characteristics of the building instead of the number of dwellings inside the building.”

The CMHC has identified parking standards as an obstacle to the provision of housing, and has identified reducing or eliminating parking standards as a proven strategy to promote homebuilding, stating municipalities should:

“Reduce or eliminate parking standards to increase project viability, density and reduce carbon footprint.

- Eliminate minimum parking requirements near rapid transit and in downtown centres.
- Reduce or eliminate parking requirements for accessory dwelling units and multiplexes.
- Implement policies to reduce car dependency and promote active transportation, such as bike parking and storage and car sharing.”

With regard to ARUs, the CMHC has identified the design and implementation of guidelines as a strategy to improve housing supply, stating that municipalities should:

- “Design and implement guidelines or pre-approved building plans for missing middle housing or specific accessory dwelling such as laneway housing or garden suites.
- Develop design guidelines for low-rise infill developments including accessory dwelling units and multiplexes to support as-of-right zoning permissions.
- Develop and/or promote standardized designs and pre-reviewed building plans, including the adoption of the federal design catalogue.
- Introduce a fast-tracked review process for standardized designs to allow projects to proceed directly to building permits.
- Expand certified model programs to include additional low-rise building types such as multiplexes and townhomes.”

Lucan Biddulph applied through the Small/Rural/North/Indigenous stream of the HAF. As set out in HAF program guidelines, the Small/Rural/North/Indigenous stream does not require a municipality to require four units as-of-right on serviced urban residential lots. Staff reviewed the existing Official Plan policy recently adopted and identified a conflict with language in the document specific to additional residential units. The approved Official Plan would only permit 2 additional residential units per property, with one being permitted to establish in an accessory building should all provision be met. As such Planning Staff are not recommending increasing the additional residential unit as-of-right permission to four units. However, four units are contemplated in other formats of housing such as multi-unit or townhouse dwellings where the existing size of the lands would be large enough to accommodate the units, setbacks, parking, and amenity areas.

Phase 1 Jurisdictional Scan

MHBC Planning Ltd. (MHBC) was retained by the County of Middlesex to prepare Zoning By-law Amendments in the local municipalities of Strathroy-Caradoc, Lucan Biddulph, North Middlesex, and Middlesex Centre in support of the HAF Housing Action Plan. MHBC’s work was informed by expertise from each of the local municipalities, who provided feedback on guidance on proposed zoning amendments as well as information on frequently amended provisions of residential zones.

By taking a coordinated approach, this arrangement enables the more efficient and consistent implementation of housing-supportive initiatives across the County. It also supports Building Services, which provides inspection and permitting services to several municipalities, as well as developers, engineers, and architects who work within the County by promoting consistent policy direction and regulatory frameworks, streamlined processes, and access to region-wide best practices.

MHBC prepared a Phase 1 Jurisdictional Scan which reviewed the zoning by-laws and HAF initiatives of over 20 municipalities in Ontario and Canada. The Scan identified innovative initiatives, best practices, and commonalities between zoning by-laws, which were then compared to the zoning by-laws of Strathroy-Caradoc, Lucan Biddulph, North Middlesex, and Middlesex Centre. Potential amendments were identified, and discussed with an informal municipal advisory committee (“advisory committee”) that was established to provide additional guidance for the assessment of HAF initiatives. This committee

reviewed local planning considerations and input received by way of the consultation throughout the study process.

MHBC presented the results of the Phase 1 Jurisdictional Scan to Council on June 16, 2025 and provided an overview of the potential content of the HAF Zoning By-law Amendment. Potential amendments were then further discussed and revised with the advisory committee during Stage 2, culminating in the attached draft by-law.

Proposed HAF Amendment

The amendment to the Township of Lucan Biddulph's Comprehensive Zoning By-law to address the following:

1. Initiatives within the Housing Accelerator Fund Action Plan aimed at supporting intensification, including permitting 4 units in serviced urban areas and simplifying zoning provisions where the lands are of an appropriate size and scale;
2. New permitted building types and permitted uses in residential zones to provide a wider range and mix of housing options, subject to limitations such as size and parking;
3. Introducing a framework for Additional Residential Units in both the urban and agricultural areas;
4. New definitions and general provisions to modernize the Zoning By-law; and;
5. Introductions for opportunities to reduce parking standards for affordable and seniors housing, while opening opportunities for shared offsite parking through agreements.

These amendments represent a shift to more a form-based approach to zoning and regulation of density. While the proposed amendments would permit intensification and more compact development within the R1, R2 and R3 zones, density continues to be regulated through the zoning by-law via maximum height, maximum lot coverage, setbacks, and parking requirements. Collectively, these provisions regulate maximum building size and the maximum number of units per lot.

Charts illustrating the nature of the proposed amendments are attached to this report, as well as the draft By-law.

Additionally, draft ARU Guidelines have been prepared by MHBC and are being reviewed by the advisory committee.

Policy and Regulation:

Planning Act

The Planning Act (the "Act") is provincial legislation that sets out the rules for land use planning in Ontario. Simply put, it describes how land uses may be controlled, and who may control them. Section 2 of the Act requires that Council shall have regard to, among other matters, matters of provincial interest. Provincial interests include, but are not limited to, the following:

- Protection of ecological systems, natural areas, features and functions;

- Protection of agricultural resources;
- Conservation and management of natural resources and the mineral resource base;
- Conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- Supply, efficient use and conservation of energy and water;
- Adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- Minimization of waste;
- Orderly development of safe and healthy communities;
- Accessibility for persons with disabilities to all facilities, services and matters;
- Adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- Adequate provision of a full range of housing, including affordable housing;
- Adequate provision of employment opportunities;
- Protection of the financial and economic well-being of the Province and its municipalities;
- Co-ordination of planning activities of public bodies;
- Resolution of planning conflicts involving public and private interests;
- Protection of public health and safety;
- Appropriate location of growth and development;
- Promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- Promotion of built form that is well-designed, encourages a sense of place, provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- Mitigation of greenhouse gas emissions and adaptation to a changing climate.

The Act permits up to three residential units on an urban residential lot, which is defined as a lot that is municipally serviced and permits detached, semi-detached, or rowhouse dwellings. The total of three residential units consists of one main dwelling and two ARUs. While municipalities are required to permit ARUs, they may regulate ARUs through the zoning by-law, with specific exceptions.

Also, Ontario Regulation 299/19 limits zoning by-laws in the following ways:

- Cannot require an ARU to provide more than one parking space;
- Parking spaces may be provided as tandem spaces;
- Cannot establish a minimum floor area;
- Cannot regulate based on the date the primary unit was constructed; and,
- Cannot regulate based on occupancy (i.e., owner-occupied or require a relation between occupants).

In 2024, the Regulation was amended (O. Reg. 462/24) as it applies to urban areas to remove zoning barriers and to address these specific matters:

- Explicitly permit ARUs to penetrate any angular plane described in a Zoning By-law;
- Allow parcels with ARUs to have a maximum lot coverage of at least 45% (zoning by-laws can permit higher coverages);
- Override floor space index and minimum lot size requirements for parcels with ARUs; and
- Establish a maximum building separation distance of 4.0 m between ARUs and other buildings with residential units (zoning by-laws may reduce this setback).

These performance standards do not apply to rural areas or settlement areas without full municipal servicing.

Provincial Planning Statement (2024)

The Provincial Planning Statement (the “PPS”) is issued under the authority of section 3 of the *Planning Act* which came into effect on October 20th, 2024. According to section 3 of the *Planning Act*, as amended, decisions made by planning authorities “shall be consistent with” the PPS. The policy is intended to be read in its entirety, and the principal policies applicable to each proposal are to be applied. The principal policies of the PPS that are applicable are summarized below.

The PPS emphasizes the provincial priority to build more homes and increase the supply and mix of housing options, addressing the full range of housing affordability needs. A sufficient supply and mix of housing options is necessary to “support a diverse and growing population and workforce, now and for many years to come.” Growth and development remain prioritized within settlement areas, “to protect the long-term viability of rural areas, local food production, and the agri-food network.”

Section 2.2 – Housing

The PPS emphasizes the importance of providing an appropriate range and mix of housing options and densities by permitting and facilitating all types of residential intensification and introducing new housing options within previously developed areas. Intensification is defined as “the development of a property, site or area at a higher density than currently exists through redevelopment, the development of vacant and/or underutilized lots within previously developed areas, infill development and the expansion or conversion of existing buildings.” Densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and support the use of active transportation, are promoted.

With regard to ARUs, the PPS includes ARUs in the definition of “housing options”, which planning authorities are required to permit and facilitate.

In prime agricultural areas, the PPS permits two additional residential units where a dwelling is permitted on a lot, provided that where two ARUs are proposed at least one of the ARUs is located within or adjacent to the principal dwelling.

County of Middlesex Official Plan

The County will experience population and employment growth which is important to residents and to the future of the County and its constituent municipalities. Growth must be managed to minimize adverse impacts on natural features and agriculture, and it must be phased to coincide with the types of levels of services available.

Section 2.3 – Growth Management

The County will experience population and employment growth which is important to residents and to the future of the County and its constituent municipalities. Growth must be managed to minimize adverse impacts on natural features and agriculture, and it must be phased to coincide with the types of levels of services available. The majority of growth shall be directed to designated settlement areas and priority is given to fully serviced settlement areas.

Section 2.3.7 – Housing Policies

A wide variety of housing types, sizes and tenures are encouraged to meet projected demographic and market requirements of current and future County residents. Intensification and redevelopment, primarily within Settlement Areas, is encouraged and local municipalities “shall support opportunities to increase the supply of housing through intensification and redevelopment in appropriate locations, taking into account municipal services, transportation and environmental considerations.” Local official plans “shall consider site specific characteristics for neighbourhood compatibility.”

The County Official Plan provides further policy direction supporting local Official Plan and Zoning By-law measures to end exclusionary zoning and support missing middle opportunities, where appropriate given the community development context and available servicing.

Section 3.2.3 – Local Official Plans

Local municipalities are encouraged to include verbiage in their official plans that speak to residential development, including low, medium and high-density residential uses, affordable housing, special needs housing, infill and intensification. Additionally, policies that speak to built form and sustainability of proposed development applications is encouraged.

OPA 4

County Official Plan Amendment No. 4, recently adopted by [Middlesex County Council on January 13, 2026](#), contains a number of specific regulations, particularly with respect to Additional Residential Units outside of settlement areas. While these policies are yet to be approved by the Province to be in force and effect, the proposed Zoning By-law Amendment has had regard for those policies and incorporated regulations to address the policies, with the intent of minimizing the impact on agricultural lands throughout the County.

Lucan Biddulph Official Plan

The Township of Lucan Biddulph's Official Plan was recently amended via Official Plan Amendment No. 10, which was approved by the OLT on November 13, 2025.

OPA 10 introduces a series of modifications to the residential policy framework for Lucan, with minimal revisions proposed for residential policies within Granton. With respect to those policies applicable to Lucan, the Amendment replaces Section 2.1.5.2 referenced above with the following direction relating to scale, density, and form:

"It is recognized that multiple forms of residential development will provide the potential for more affordable and attainable housing, as well as meeting the increasingly diverse needs and preferences of the community.

A minimum density target of 12.5 units per hectare is established to ensure the new forms of residential development are compatible with the character of the Village. Specific development standards, such as height, shall be established in the Township's Zoning By-law."

Among other items, OPA 10 replaced the Secondary Dwelling Units policies in the Lucan Biddulph Official Plan with ARU regulations, which are as follows (2.1.5.10 and 2.2.4.4):

"In accordance with the Planning Act, R.S.O. 1990, a maximum of two (2) Additional Residential Units are permitted on parcels of urban residential land in all designations where single detached, semi-detached, and townhouse dwellings are permitted and where full Township sewage works and drinking water systems are provided. One (1) ARU may be permitted within a detached accessory building or structure and up to two (2) ARUs may be permitted within the principal dwelling provided that the total number of ARUs on the parcel does not exceed two. Additional Residential Units must meet the Building Code, Fire Code and all other Provincial, County, and Municipal standards. Additional Residential Units within a detached accessory building or structure shall not be permitted to be severed from the principal dwelling.

The Township's Comprehensive Zoning By-law shall include provisions to address the following matters:

- The provision of adequate access, including emergency access;
- That the additional residential unit(s) be clearly subordinate in scale and function to the primary unit; and,
- That they shall not be permitted within hazard lands as defined and regulated by conservation authorities.

Tiny homes, garden suites, granny flats, and mobile homes are considered temporary uses and shall be evaluated as such."

Lucan Biddulph is exempt from the HAF direction to permit four units on urban residential lots as-of-right provision, as the Township is subject to the program requirements for the Small/Rural/North/Indigenous Stream.

Analysis:

The Provincial Planning Statement (PPS), Middlesex County Official Plan and Lucan Biddulph Official Plan encourage residential infill development within settlement areas, subject to servicing and compatibility. This Amendment supports intensification and infill development by permitting additional as-of-right permitted uses, increased density, and establishing provisions for ARUs. This Amendment permits a mix of dwelling types and residential lot sizes as-of-right, which is noted as a priority in the Lucan Biddulph Official Plan, and implements the Housing Action Plan and recent changes to the *Planning Act* regarding ARUs. Additionally, the proposed Zoning By-law Amendment has regard for the policies of Amendment No. 4 to the County Official Plan and incorporates regulations to address the policies with the intent of minimizing the impact on agricultural lands throughout the County.

In conclusion, staff and MHBC are of the opinion that the proposed Zoning By-law Amendment is appropriate, is consistent with the Provincial Planning Statement and is in conformity with the County of Middlesex and Lucan Biddulph Official Plans. Additionally, the proposed Zoning By-law Amendment implements several goals of the HAF, as required for continued federal funding.

Consultation:

Notice of the proposed Zoning By-law Amendment was circulated to the required agencies and posted to the Township's website in accordance with the requirements of the Planning Act.

Recommendation:

THAT Council receive Report PL-01-2026 regarding Zoning By-law ZBA-01-2026 be received for information.

Attachments:

Zoning By-law Comparison Chart
Draft Zoning By-law ZBA-01-2026