



Administrative Report

Office of the Manager, Planning Services

To: Warden McNamara and Members of Essex County Council

From: Rebecca Belanger, MCIP, RPP
Manager, Planning Services

Date: Wednesday, February 16, 2022

Subject: County of Essex Official Plan Review Update

Report #: 2022-0216-PLN-R01-RB

Purpose

To provide County Council with an update for the mandatory five-year review of the County of Essex Official Plan.

Background

Introduction

The County's first Official Plan was adopted in 2002 and approved by the Ministry of Municipal Affairs and Housing in 2005. Following the approval of this plan, the Province delegated approval authority for local Official Plans and Amendments, subdivisions and condominiums and part lot control exemption to the County. County Council subsequently delegated this approval authority responsibility to the Manager, Planning Services.

In 2014, the County adopted and received approval for the 2nd Generation of the Official Plan, based on work that started in 2009.

In September of 2021, pursuant to Section 26 of the *Planning Act*, County Planning Staff commenced preliminary background work needed to undertake a comprehensive review and update of the existing Official Plan. This work to date has included the initiation of the regional and local growth

projections. Administration intends to deliver a draft Official Plan for Council's consideration by the end of 2023

This review will establish a Vision for the future of Essex County, and will articulate new goals and policies that will serve as a road map for the County to responsibly manage growth and change over the next 30 years.

The Official Plan Review project has been titled:



OFFICIAL PLAN REVIEW (2022 – 2052)

One Land, One Climate, One Future, Together

- a) This Staff report is intended to provide members of County Council with important information pertaining to:
- b) The purpose of an Upper-tier (County of Essex) Official Plan, in a two-tier governance structure and how that plan affects the lives of Essex County residents;
- c) Why a review is being undertaken at this time;
- d) The Work Program being used to successfully complete this review and the corresponding project deliverables and timelines for all 3 phases;
- e) The roles of County Council, County Planning Staff (and Staff from other internal County Departments), the Official Plan Planning Advisor, and consultants retained by the County for this OP Review project;
- f) How local municipalities will be engaged throughout the OP Review including the composition and role of a Technical Planning Advisory Group;
- g) How Indigenous Communities, Provincial Ministries, Regional Agencies, and Boards will be engaged throughout the OP Review including the Ministry of Municipal Affairs and Housing which is the approval authority for the Upper-tier Official Plan;

- h) How consultation will be undertaken with key stakeholders, the community at large, and youth in all 3 phases of this review including the composition and role of a Community Stakeholder Advisory Group and a Youth Advisory Group.

Purpose of the Official Plan & How it affects Essex County residents

People want to live in vibrant places with economic opportunities and town/village centres nearby that are safe, walkable and filled with a wide range of activities and services. They also want to live in places that have great schools, good paying jobs, libraries, museums, recreational facilities and green spaces that they can enjoy year-round.

Our region is fortunate to have many of these attributes that make it a highly desirable place to live, work, and play. We also have land and water resources and climatic conditions that can support strong and vibrant agricultural and tourism sectors.

A Municipal Official Plan is one of the most important policy documents that a Council adopts.

The overall health, well-being and prosperity of people living in this region will be impacted and shaped by the vision, goals, policies and designations that are contained within the Official Plan. It will guide and provide direction to landowners, residents, developers/homebuilders, investors/owners of businesses, non-profit groups, and the community at large on matters such as:

- the location and extent of urban (settlement area) boundaries in each of local municipality;
- population, employment and housing projections and corresponding land resources needed to meet these projections;
- how growth is managed for fiscal and environmental sustainability;
- housing affordability and residential intensification;
- how communities are designed, serviced and built (and new lots are created);
- land uses and activities that are to be encouraged and supported in rural areas;

- agricultural land and natural heritage protection and enhancement;
- how people and property are protected from flooding and other hazards;
- climate change mitigation and adaptation;
- cultural heritage and archaeological resource conservation;
- transportation and mobility for all types of vehicles and for people of all ages and abilities; and
- other policy matters and implementation tools as required to responsibly address *Planning Act* and Provincial Policy Statement (2020 PPS) requirements.

Why a Review is being undertaken at this time

The *Planning Act* requires municipalities to review their Official Plan once every five years to ensure that it is up to date and consistent with the PPS. The current County Official Plan was adopted and approved in 2014, based on background work that started in 2009.

Since that time, residents of this County have witnessed and are continuing to experience the effects of fundamental changes that are taking place as a result of: a changing climate, migration from other parts of Ontario and internationally, the changing nature of employment, and how we now live our daily lives.

In addition, there have been significant changes introduced to both the *Planning Act* and the Provincial Policy Statement (PPS), including:

- 2015 Planning Act Changes – introduced by Bill 73, the Smart Growth for Our Communities Act;
- 2017 Planning Act Changes – introduced by Bill 139, Building Better Communities and Conserving Watersheds Act;
- 2019 Planning Act Changes – introduced by Bill 108, More Homes, More Choices Act;
- 2020 Planning Act Changes – introduced by Bill 197, COVID-19 Economic Recovery Act;

- 2020 the Province of Ontario adopted a new Provincial Policy Statement (PPS).

This Official Plan Review provides a forum for County Council, working collaboratively with key stakeholders, local municipalities, indigenous communities, Provincial ministries and regional agencies, and the community at large, to formulate new fiscally and environmentally responsible policies. These new policies will take advantage of our regional attributes and strengths, and will “chart a path forward” that is forward thinking, flexible and able to successfully navigate the many opportunities, challenges and issues that lie ahead.

The Upper-tier (County) Plan is intended to help guide the more detailed policies and land use designations that are set out in each of the local municipal Official Plans. It should be noted that the *Planning Act* requires that all local Official Plans (as adopted by each of the seven Essex County municipalities) be reviewed and updated on a regular basis to conform to the approved County of Essex Official Plan. All Public Works undertaken by local municipalities and by the County, and all zoning by-laws adopted by local Councils are also required to conform to County Official Plan.

Work Program, Project Deliverables and Timelines

The Official Plan Review is being undertaken in three phases, as described below.

| Phase 1 | Phase 2 | Phase 3 |
|---|--|--|
| <i>Background Review, Visioning, & Growth Projections</i> | <i>Policy Options & Additional Technical Studies</i> | <i>Draft & Adopt New Official Plan</i> |

Phase 1 – September 2021 to June 2022

- A Technical Background Report is being prepared by Watson & Associates which will provide new updated County and local municipal population, household and employment forecasts.
- An initial round of consultation and outreach will be undertaken during Phase 1 to obtain input regarding the opportunities, challenges and issues facing the County, and what priorities the new County OP will need to

address. This round of consultation will create a new vision that will be carried forward in subsequent phases of the work program to assist with the formulation of new goals and policy directions for a 30-year planning horizon.

- Three advisory groups will be established to provide input and feedback throughout the Official Plan Review Process:
 - The first being a Technical Planning Advisory Committee, comprised of a senior planning staff person appointed by each of the seven local municipalities, and two staff from the County of Essex, namely the Manager of Planning, and Manager of Transportation Planning and Development.
 - The second being a Community Stakeholder Advisory Group, comprised of representatives from key business, community and non-profit sectors (i.e., Agriculture, Invest Windsor Essex, Manufacturing, Transportation, Housing, Environment, Development/Homebuilding, Tourism);
 - The third being a Youth Advisory Group, comprised of up to two student representatives from each Secondary School in Essex County;
- As part of this initial round of consultation and outreach, virtual workshops will be held with County Council and with each of the three advisory groups, to discuss and obtain input pertaining to the strengths of this region, and the opportunities, challenges and issues that will need to be addressed as part of this review.
- One on one consultations will also take place with representatives from Indigenous communities, the City of Windsor, Chatham-Kent, ERCA, MMAH and other Provincial ministries and Regional agencies that have an interest in land use planning.
- A Project Website will be created, and on-line surveys and social and traditional media will be used to share information and to obtain input and feedback throughout the review process.
- A Phase 1 Discussion Paper will be prepared by County Planning Staff and the Official Plan Planning Advisor to provide important background information that will be used to guide policy development in Phases 2 and 3. This paper will include information pertaining to:

- what has been accomplished and what policy gaps exist with the current County Official Plan;
 - provincial changes to the *Planning Act* and the Provincial Policy Statement;
 - major changes that have taken place in both our settlement areas and in our rural areas, and what those changes may mean going forward;
 - major demographic and economic drivers impacting this region, and what policy implications flow from these drivers;
 - what we learned during the initial round of consultation, and the key issues, opportunities and challenges facing the County;
 - placemaking strategies, and how those can assist the County to address these opportunities and challenges.
- The Phase 1 Discussion Paper will also include a draft Vision Statement for the new County Official Plan, and a Terms of Reference that will set out the additional technical reports/studies that will need to be completed as part of Phases 2 and 3.
 - This Terms of Reference will be used by the County to prepare and issue a Request for Proposals (RFP) to retain a Consulting Firm to complete the additional technical reports/studies required and to prepare the draft new County Official Plan document.
 - The Phase 1 Discussion Paper and the Phase 1 Technical Report will be available and presented to County Council in June 2022.

Phase 2 – July 2022 to April 2023

- An RFP will be issued and a Consulting Firm will be retained by the County to complete the Phase 2 and Phase 3 work including preparing the additional technical reports/studies that address key issues, challenges, opportunities and policy gaps identified during Phase 1. This additional technical work will include a comprehensive analysis of future urban land requirements County-wide.

- A Policy Options and Key Directions Report will be prepared as one of the deliverables during Phase 2.
- Additional workshops will be held with County Council, the three advisory groups, and with all of the participants that expressed an interest in the OP Review during Phase 1.
- Indigenous communities, local municipal Councils, adjacent municipalities, Provincial ministries and Regional agencies will be consulted with during Phase 2, and asked to provide feedback and input on reports and studies that are prepared.

Phase 3 – May 2023 to December 2023

- This phase involves the preparation of the draft new Official Plan, and the circulation/presentation to County Council, to the advisory groups, the local municipalities, adjacent municipalities, to Indigenous communities, and to Provincial ministries and Regional agencies for their review and to obtain their input and feedback.
- Information meetings and statutory public meetings will be held, in advance of County Council making any decisions with respect to the final draft of the new Official Plan.
- Based on all the input and feedback received, a final draft of the new Official Plan will be prepared for the consideration and approval of County Council, and for submission to MMAH for final review and approval purposes.

It should be noted that County Council will be provided with a further Staff Report prior to starting Phase 2 with a summary and recommendation to retain the consultant responsible to complete the Phase 2 and Phase 3 work program, all in keeping with the approved Terms of Reference prepared in Phase 1. At that time, a detailed work program for Phases 2 and 3 will be provided to County Council, with dates and milestones for meetings, workshops and deliverables for Phases 2 and 3.

Roles and Responsibilities

A comprehensive and collaborative planning approach is being utilized to successfully undertake and complete this Official Plan Review project.

Key to achieving success is to ensure that the voices of a broad cross section of the community are heard, and that local municipalities, Indigenous communities, key stakeholders and youth from across the County of Essex are consulted throughout the review.

The skills, knowledge and experience from all project participants, staff, advisors, and consultants will enable County Council to formulate a new Official Plan that is capable of building on the existing strengths and attributes of this County and working collectively towards improving the overall health, well-being and prosperity of the residents of this growing region of Ontario.

Table 1 below describes the roles and responsibilities of key participants in this OP Review project:

Table 1

| Role | Responsibility |
|--|---|
| County Council | Decision Makers – responsible for adopting the new County Official Plan, and providing direction and input at various stages during the OP Review project |
| The Chief Administrative Officer and County Senior Leadership Team | Responsible for support of the process by receiving and commenting on regular updates from the Manager of Planning |
| Manager of County Planning, with the assistance of the OP Planning Advisor | Project Lead and Overall Project Management responsibilities throughout all 3 Phases Responsible for completing the Phase 1 work plan, including the preparation of the Phase 1 Discussion Paper |
| Phase 1 Technical Consultant | Responsible for completing the Phase 1 Technical Background Report and Growth Projections |

| Role | Responsibility |
|--|---|
| Phases 2 and 3 Consultant | To be retained prior to commencing Phase 2 and responsible for completing all of the Phase 2 and Phase 3 work in accordance with the Terms of Reference that is being drafted at the end of Phase 1 work |
| Technical Planning Advisory Group | Comprised of a senior planning staff from each of the 7 local municipalities, the Manager of Planning and the Manager of Transportation Planning and Development, providing review, input and feedback throughout the OP Review process |
| Community Stakeholder Advisory Group | Comprised of representatives from key business, community and non-profit sectors (i.e., Agriculture, Invest Windsor Essex, Manufacturing, Transportation, Housing, Environment, Development/Homebuilding, Tourism) providing feedback and input in all three phases |
| Youth Advisory Group | Comprised of up to two student representatives from each Secondary School in Essex County providing feedback and input in all three phases |
| Indigenous Communities, Provincial Ministries and Regional Agencies, Adjacent municipalities | One on one meetings with representatives in all three phases providing review, feedback and input |
| Local Municipal Councils | Technical Reports, Discussion Papers, Studies prepared in all three phases, and draft and final versions of the new County Official Plan to be circulated to each local Council, to obtain feedback and input |

| Role | Responsibility |
|---------------------------------------|---|
| Community at Large | The Community at large will be invited to participate in on-line surveys, information meetings, and statutory public meetings and social media, traditional media and the County's website will be used to share information |
| Staff from Various County Departments | <p>County GIS, Communication, and IT Staff will be assisting with the preparation of mapping, graphics, website content, media releases, social media posts, and with on-line surveys as needed</p> <p>Staff from Infrastructure Services will provide feedback, input and review, as needed on transportation related matters (including active transportation)</p> <p>Staff from the Council Services area will provide assistance with the logistics and hosting of formal and informal meetings and workshops that are being held in all three phases</p> |

The OP Review project (*One Land, One Climate, One Future, Together*) is intended to be a collaborative, inclusive and comprehensive undertaking. Throughout this Official Plan Review, opportunities will be provided to encourage County residents, Indigenous groups, businesses, and other key stakeholders to discuss the future vision and goals for Essex County; moreover, to become engaged and share their views as to what policies and actions need to be taken to ensure that this region continues to thrive and prosper. The work plan has been developed to establish community support and create a sense of ownership for the final outcome.

The initial workshop with County Council is scheduled to take place in early March.

Financial Implications

Projected total costs for the Official Plan Review process is estimated to be \$530,000 (please refer to Table 2). Approved funding in the 2022 Budget

for Official Plan related work is \$195,000. The work plan presented herein provides opportunity to advance the process quicker than envisioned during preparation of the 2022 budget document.

Given that the County Official Plan Reserve has a 2022 opening balance of more than \$664,000, and that the funding model established by Financial Services ensures reserve funds are available to offset project costs as they are incurred over a typical 5 year review cycle, the model includes an element of flexibility to support advancement of project phases without impact to the tax rate.

Engagement of any consultants utilized for this undertaking will follow the County's Procurement Policy with the support of the County's Manager of Procurement and Compliance. Opportunities to advance the process that exceed the approved 2022 budget will be presented to Council for approval.

Table 2

| 2021-2023 County of Essex Official Plan Review Budget | | | |
|---|-----------------|------------------|------------------|
| Tasks | 2021 Budget | 2022 Budget | 2023 Budget |
| Phase 1 | | | |
| Special Planning Advisor (Public Consultation, workshops and public suveys) (Discussion Paper No.1) | \$10,000 | \$10,000 | |
| Population, Household and Employment Forecasting Study | \$10,000 | \$50,000 | |
| Phases 2 and 3 | | | |
| Special Planning Advisor (Prepares Key Policy Directions Report) Public Consultaiton Program | | \$50,000 | 50,000 |
| Primary Consultant (OP Background Reports, draft new Official Plan) | | \$100,000 | \$200,000 |
| ERCA Technical Background Studies | | \$50,000 | |
| Total | \$20,000 | \$260,000 | \$250,000 |

Recommendation

That Essex County Council receive report 2022-0216-PLN-R01-RB, County of Essex Official Plan Review Update and work as information.

Respectfully Submitted,

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