



The Corporation of the County of Essex

By-Law Number 2022-27

A By-law to adopt Official Plan Amendment Number 2 To the County of Essex Official Plan.

Whereas the Planning Act permits municipal Councils to adopt amendments to Official Plans in accordance with the procedure outlined in the Act and corresponding regulations; and

Whereas the Council of the Corporation of the County of Essex supports amendments to the Official Plan as provided herein;

Now therefore the Council for the Corporation of the County of Essex, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

- 1) Amendment Number 02 to the Official Plan for the County of Essex, consisting of the attached schedule, is hereby adopted.
- 2) That the Clerk is hereby authorized to notify the Ministry of Municipal Affairs and Housing of the approval of Amendment Number 02 to the Official Plan for the County of Essex;
- 3) This By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time and Finally Passed this 7th day of September, 2022.

Gary McNamara, Warden

Mary S. Birch, Clerk

Clerk's Certificate

I, Mary S. Birch, Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy, of **By-law Number 2022-27** passed by the Council of the said Corporation on the **7**, day of **September, 2022**.

Mary S. Birch, Clerk
Corporation of the County of Essex

Amendment Number 2

To the Official Plan for the County of Essex

**Amendment Number 2
to the Official Plan
for the County of Essex**

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**Amendment Number 2
to the Official Plan
for the County of Essex**

Statement of Components

Part "A" - The Preamble does not constitute part of this amendment.

Part "B" - The Amendment consisting of the following attached Schedule "E1" Resources Plan, constitutes Amendment Number 2 to the Official Plan for the County of Essex.

Part "C" - Appendices does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

Part "A" - Preamble

Purpose

The purpose of Official Plan Amendment No. 2 is to modify and expand the mapping of the Mineral Aggregate Resources Overlay identified on Schedule "E1" to include the subject lands (See Map 1 for the location of the subject lands in the Municipality of Leamington).

The subject lands are proposed to be amended in the land use schedules to include a Mineral Aggregate Overlay in conjunction with the underlying designations of Agricultural and to a lesser extent Settlement Area, in accordance with Section 2.3 Management of Mineral Resources Policy Section of the Official Plan.

Basis of the Amendment

The owners of the licensed and operating sand pit known as the Mainyard/Woolatt Pit are proposing to expand their operations onto the adjacent lands to the south (shown on Map 1). The new sand pit is referred to as the MOS Pit and will have an area of approximately 7.3 hectares. In preparation of obtaining the extractive license from the Ministry of Natural Resources and Forestry (MNRF) for the expanded area (MOS Pit), it was identified that the MOS Pit lands were not identified within Mineral Aggregate Resources area on Schedule "E1" to the County of Essex Official Plan. Furthermore, a large portion of the existing Mainyard/Woolatt Pit was also not shown on Schedule "E1".

During the five year review of the County of Essex Official Plan, the County's consultant prepared all land use schedules. At that time, the Ministry of Municipal Affairs and Housing (MMAH) acted as the one-window and through that, consulted with various Provincial Ministries during the development of the new Official Plan. At that time, there was no concern expressed regarding the Mineral Aggregate Resources Mapping as proposed. Recent consultation with MNRF confirmed that there is historical mapping that shows that the subject lands are within a sand and gravel resource area (see Appendix 1) and has confirmed that the mapping update is appropriate.

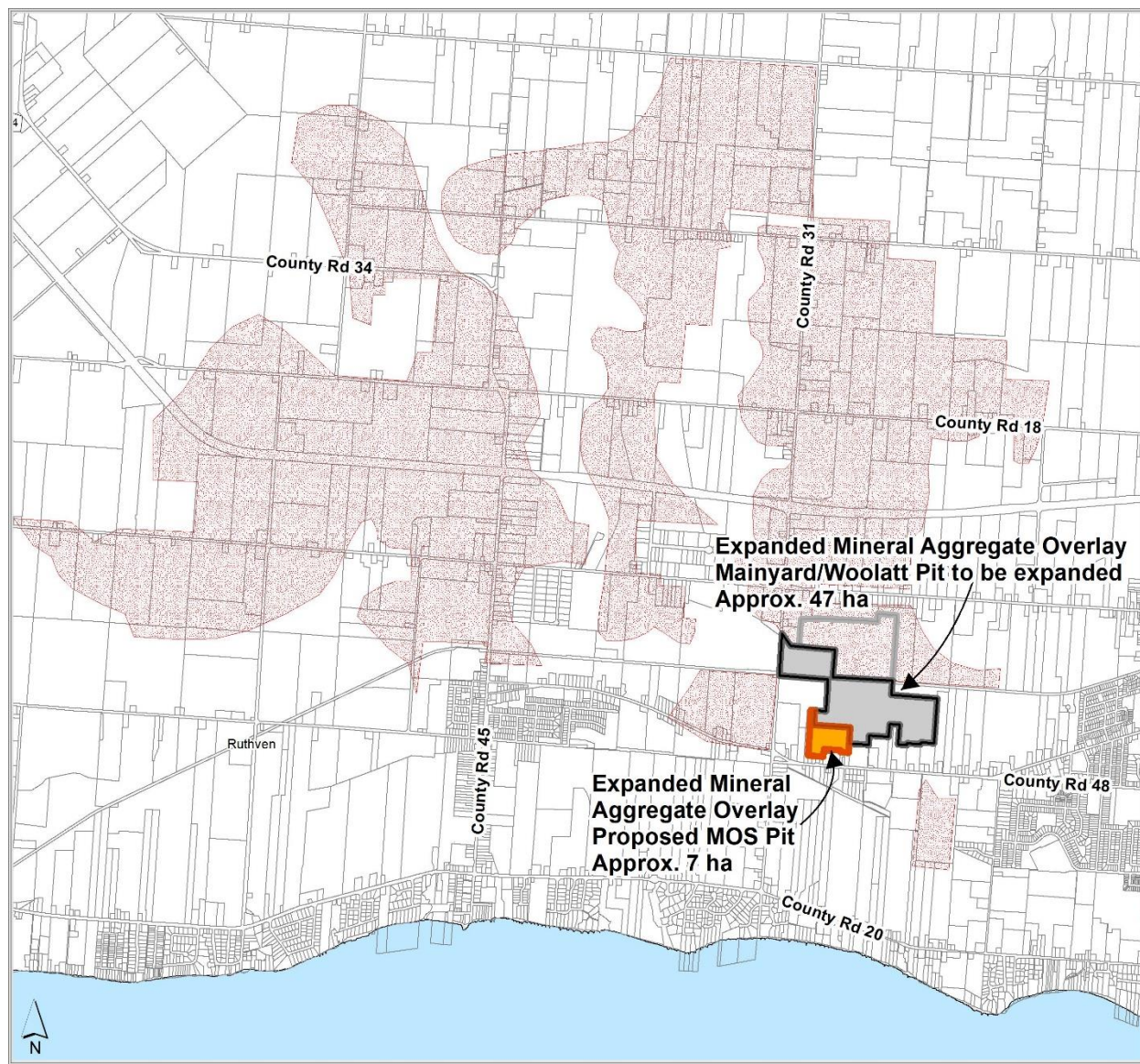
The County's Official Plan requires that for the establishment of new extractive operations outside of the areas identified as "Mineral Aggregate Resources" on Schedule "E1", or on lands designated as "Settlement Areas" or "Natural Environment" on Schedule "A1" will require an amendment to

this Plan. Therefore, the Official Plan Amendment proposes to expand the Mineral Aggregate Resources Area identified on Schedule "E1" to include the area of the existing Mainyard/Woolatt Pit that is not currently identified on Schedule "E1" as well as to include the area of the proposed MOS Pt.

It is the opinion of the County of Essex that this amendment is appropriate and represents good planning. Several studies including a Planning Justification Report, Noise Impact Study, Hydrogeological Study, Archaeological Study and an Environmental Impact Study, have demonstrated that the expansion of the extractive area is appropriate in this location with minimal impacts to adjacent sensitive land uses.

Map 1

The subject lands to be shown within the Mineral Aggregate Resources Area on Schedule "E1", in accordance with Section 2.3.2, Mineral Aggregate Resources, of the Official Plan.



Part "B" - The Amendment

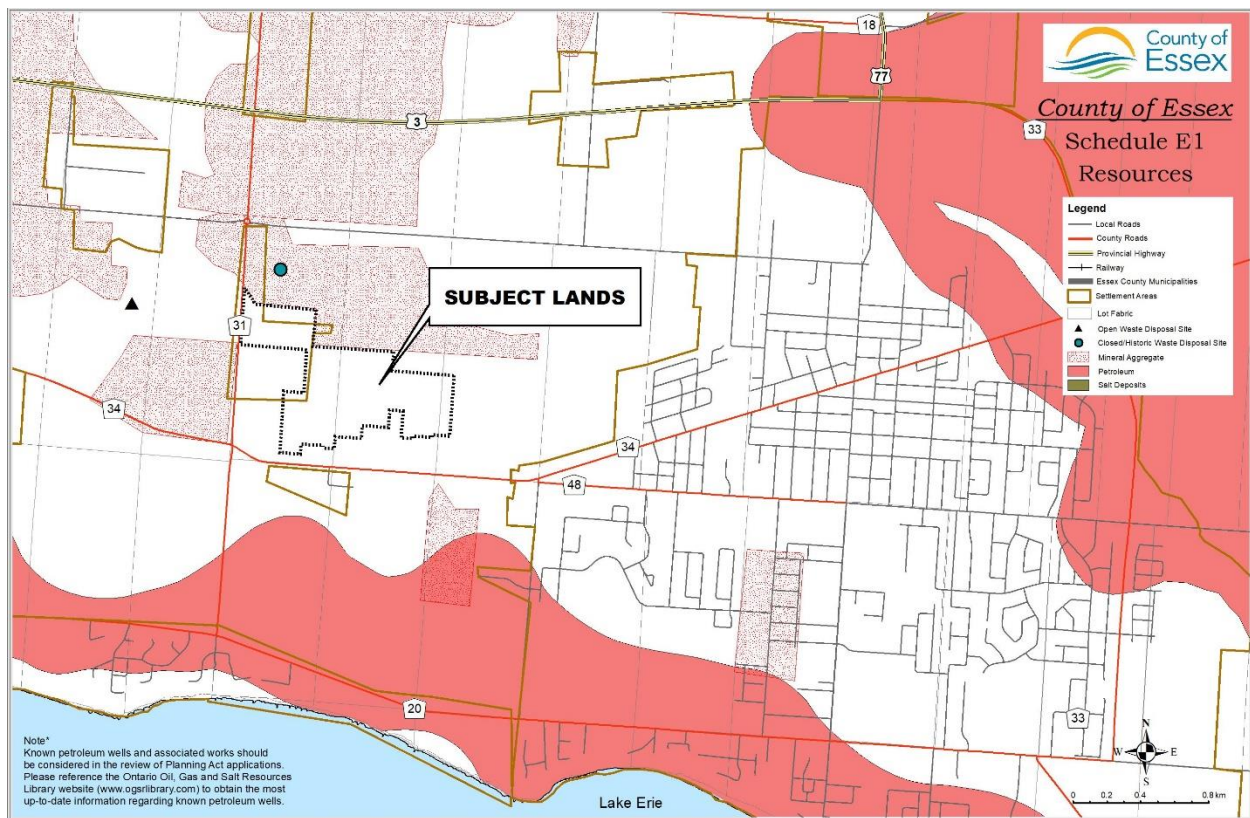
Details of the Amendment

The Official Plan for the County of Essex is amended as follows:

That Schedule "E1" Resources Plan, as attached hereto and forming part of this amendment, is hereby amended by expanding the Mineral Aggregate area to include the lands shown on Map 1 in the Municipality of Leamington.

Amendment to Schedule: "Schedule E1" Resources Plan - County of Essex Official Plan

The subject lands are to be included in the Mineral Aggregate Resources Area of the Official Plan.



Part "C" - Appendices

The following appendices do not constitute part of Amendment No. 2 but are included for information supporting the amendment.

Appendix 1 – September 7, 2022 Planning Report (attached).

Appendix 2 - Minutes from the public meeting held to consider this amendment (attached).