

Amendment No. 3

To The Official Plan

For The County of Essex

Community Improvement Plan Policies

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Statement of Components

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

1. Purpose and Basis
2. Location

Part “B” - The Amendment consisting of the following text, constitutes Amendment No. 3 to the Official Plan for the Corporation of 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

1. Purpose and Basis for the Amendment

The County of Essex Official Plan (County OP) currently contains policies that encourage the preparation of Community Improvement Plans in order to maintain downtown areas and enhance the existing character of these areas. Section 28 of the Planning Act provides the means for lower-tier municipalities to implement an approach to foster economic development and to revitalize residential, commercial and industrial development. The purpose of this OPA is to provide the planning policy regime that enables the County to participate in lower-tier CIP incentives with a comprehensive level of application.

Section 5 of the Development Charges Act, allows municipalities to grant exemptions from a development charge. This allows both upper-tier (County of Essex) and lower-tier municipalities to offer partial or total exemptions from municipal development charges to support community improvement objectives. Through Section 28 of the Planning Act, as part of an adopted CIP, municipalities can offer a reduction in development charges in the form of a grant equivalent to part or all of the development charge normally payable. These DC exemptions can be targeted and based on the Applicant meeting one or more specified project performance criteria, as set out in the Community Improvement Plan.

Most Community Improvement Plans (CIPs) in Ontario have been prepared, adopted and implemented by Council of a single or lower-tier municipality, and this is largely because the Planning Act provides significant flexibility in terms of where lower-tier CIP can be applied, and allows a CIP to address practically any environmental, social, or community economic development issue, as long as there are appropriate Official Plan policies in place.

Certain Upper-tier municipalities including the County of Essex, are not permitted based on Section 28(2) of the Planning Act to establish Community Improvement Plans. In order for the County to participate in matching incentive programs, two things are required:

1. Policies in the County Official Plan to enable the County to participate in lower-tier CIP grant and loan programs;
2. That the lower-tier municipality must have a CIP in place in order for the County to participate Section 28(7.2).

The purpose of Official Plan Amendment No. 3 is to provided additional policy language in the County Official Plan to enable the County to participate in lower-tier CIP incentives with the intent of supporting major investments in the County that would lead to large scale job creation and economic diversification.

2. Location

The Official Plan Amendment will apply to all lands within the County of Essex. Only those lands within lower-tier CIPs will be subject to these policies.

Part “B” - The Amendment

Details of the Amendment

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

A new subsection 4.17 Community Improvement, is hereby added immediately following subsection 4.16, Non-Conforming Uses, to read as follows:

“ 4.17 COMMUNITY IMPROVEMENT

The Community Improvement provisions of the Planning Act provide for and co-ordinate comprehensive improvements in identified areas of a community. Community improvement policies are intended to provide a planning mechanism for improvements, access to cost sharing programs and encouragement for private investment.

In order to assist with regional and local economic development initiatives targeted to attracting new large scale industrial and commercial developments to locate in Essex County, the County encourages and supports local municipalities preparing Industrial and Economic Development Community Improvement Plans.

Where such Local Municipal Community Improvement Plans are in effect, in keeping with the provisions as set out in Section 28 of the Planning Act, County Council may make grants for the purpose of rebating the County’s portion of any approved Tax Increment Rebate Grant that is being provided by the Local municipality, for a maximum of up to ten years for eligible projects.

A description of what constitutes an eligible project for the purpose of the County’s participation in this Tax Increment Rebate Grant Program, together with a detailed outline of the County’s program conditions are set out in a Program Guide that has been prepared by County Administrative Staff.”

Part “C” - Appendices

The following appendices do not constitute part of Amendment No. 3 but are included for information supporting the amendment.

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

Appendix 2 - July 19, 2023 Planning Report (attached).

Appendix 3 - The minutes from the public meeting held to consider this amendment are attached.