



Administrative Report

Office of the Manager, Planning Services

To: Warden MacDonald and Members of Essex County Council

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

Date: Wednesday, April 03, 2024

Subject: Summary of Comments from the Public Meeting to consider OPA No. 5- 2362 Front Road

Report #: 2024-0403-IPS-R02- RB

Purpose and Background

On January 17, 2024 at 4:00pm a statutory public meeting was held to obtain public comments on a requested Official Plan Amendment for a property located at 2362 Front Road and the southern adjacent vacant lands on the shore of the Detroit River in the Town of LaSalle. The requested amendment seeks to amend two Schedules in the County Official Plan; firstly, to amend the 'Natural Environment' designation on Schedule 'A1' to 'Settlement Area' and secondly, to remove the 'Provincially Significant Wetland' on Schedule 'B1'. The area of land subject of the requested removal of designation is approximately 1.22 ha (3 acres).

According to the planning application submitted for this proposal, the current land uses in the subject area include boat storage for Beatties Sunset Marina. The applicant has requested the amendment to correct the County's Official Plan Schedules in accordance with the current, approved delineation of Provincially Significant Wetland (PSW) on record with the Ministry of Natural Resources and Forestry and to enable future development. The Natural Environment designation on the lands based on Section 3.4.3 in the County Official Plan prohibits development and site alteration and would need to be removed to support any future development.

The Notice of Public Meeting was circulated to agencies, the Town of LaSalle and the public in accordance with the requirements of the Planning Act. Comments were received by several residents that will be further summarized in this report.

Discussion

The Report submitted to County Council for the January 17th public meeting identified that the Ministry of Natural Resources and Forestry had approved the removal of the PSW line in 2018 from the subject property. Several environmental reports were submitted in support of the requested Official Plan Amendment including the report from Beacon Environmental and two reports from Barry Myler, certified wetland evaluator. Barry Myler explained at the public meeting that at the time when the MNR evaluated and added the provincially significant wetland line on the property it was based on aerial photography interpretation only and was not field verified as required by the Ontario Wetland Evaluation System (OWES). Mr. Myler also acknowledged that when this type of evaluation occurs, ecological consultants are often later engaged by private property owners to check the validity of the wetland evaluation and PSW boundaries are often modified and shifted through fieldwork. In this case, there was a period of time of a few years where mowing was neglected and naturalization, particularly in the form of phragmites growth took place and this was the area where the PSW line was drawn in 2008.



Figure 2: Annotated excerpt of the recommended PSW boundary revision in the RWDI/Beacon report.

Financial Implications

There are no financial implications resulting from the approval of this Official Plan Amendment. The costs associated with advertising the Notice of Public Meeting are covered by the application fee paid by the Applicant.

Consultations

The Notice of Public Meeting was circulated to neighbours, agencies and other departments and a sign was posted on the property, in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13 and associated regulations.

The Town of LaSalle Planning Department will advance the local official plan amendment as soon as the County OPA has proceeded to a final decision. County Planning administration have worked collaboratively with LaSalle Planning through all aspects of this planning process.

The following is a summary of written comments received and Administration’s response.

Comment	Response
<p>Essex Region Conservation Authority (ERCA)</p> <p>The parcels fall within the regulated area of the Detroit River, the property owner will be required to obtain a permit prior to any construction or site alteration or other activities affected by Section 28 of the CA Act.</p> <p>We understand that the PSW feature on the site was removed with the approval of the MNRF. We recognize that this site has not been functioning as a PSW for approximately 10 years.</p> <p>Our office has no objection to OPA-05.</p>	<p>The applicant has been made aware of the requirements regarding the Conservation Authorities Act prior to site alteration.</p>
<p>Concern about impacts on wildlife and ecosystem of wetlands.</p>	<p>As noted in Barry Myler’s ecological assessment, there are no floral or faunal attributes within the subject area that would meet the definition for significance based on the PPS and Natural Heritage Reference Manual. The subject area is identified in the environmental report to contain mown lawn.</p>

Comment	Response
<p>Presentation from a resident included how this application could be an opportunity to improve and restore the natural environment in this area and implement the “restoration opportunities” component of the County Official Plan.</p>	<p>This application is seeking to update the County’s mapping in conformity with the MNRF mapping. At such a time when a development proposal for these lands is determined, the scoping of an EIA will be undertaken as required and contemplate the restoration opportunities policies in the County OP.</p>
<p>Correspondence identified concerns regarding flooding, environmental impact, traffic impact, property value and personal impact.</p>	<p>In addition to the above comments, the matters will be addressed at such a time that the development proposal is confirmed and through required background studies for additional planning processes.</p>
<p>Correspondence identified concerns regarding impacts to a wetland, increased traffic, noise and light pollution, increased electrical outages and stormwater quality and quantity.</p>	<p>In addition to the above comments, these concerns will be addressed in background studies that will be scoped and confirmed when there is a development proposal on the lands. A functional servicing report, EIA, traffic impact and stormwater management report are typical requirements.</p>
<p>Correspondence identified a request to review reports submitted and used for the recommendation to change the land use designation.</p>	<p>The reports prepared by Jackie Lassaline and Barry Myler were attachments to the County of Essex Planning Report.</p>

Recommendation

That Essex County Council receive report number 2024-0403-IPS-R02-RB, Summary of Comments from the Public Meeting to consider OPA No. 5- 2362 Front Road as information, and that By-law 2024-02 to adopt Official Plan Amendment Number 5 be approved.

Approvals

Respectfully Submitted,

Rebecca Belanger

Rebecca Belanger, MCIP, RPP, Manager, Planning Services

Concurred With,

Allan Botham

Allan Botham, P.Eng., Director, Infrastructure and Planning Services

Concurred With,

Sandra Zwiers

Sandra Zwiers, MAcc, CPA, CA, Chief Administrative Officer

Appendix	Title
A	2024-0117-IPS-R01-RB Public Meeting to consider an Amendment to the County Official Plan – 2362 Front Road, LaSalle – OPA No. 05