



Administrative Report

To: Warden MacDonald and Members of Essex County Council

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

Date: Wednesday, October 16, 2024

Subject: New County of Essex Official Plan Adoption

Report #: 2024-1016-IPS-R24-RB

Purpose

The purpose of this administrative report is to summarize the comments received on the most recent draft of the County Official Plan and advise County Council as to how these comments have been addressed. Further, to provide the summary of consultations that have taken place throughout all three phases of this multi-year work program and present the final revised Official Plan for adoption by County Council.

Background

The County of Essex commenced preliminary background work needed to undertake a comprehensive review of the Official Plan in September of 2021. The goal of this work is to replace the County's previous Official Plan, which was adopted in 2014 (the "**2014 OP**"). The 2014 OP was based on population, housing and employment forecasts prepared by the County in 2009 to a horizon year of 2031, and the new Official Plan provides for growth projected to 2051, in conformity with Provincial direction. In a report to County Council dated February 16, 2022, it was noted that Administration intended to deliver a draft Official Plan for consideration of adoption by the end of 2023. Additional time has been taken to complete this work, in order to incorporate additional consultation with local municipal planning staff, provincial and regional agencies, community stakeholders and the public at large.

The Official Plan review process included several rounds and forms of public and stakeholder engagement which is detailed in the Appendix titled County of Essex Official Plan Review Timeline (Summary of meetings, workshops and public notifications). The initial round of engagement and consultation

took place during Phase 1 of the work program, from September 2021 to June of 2022. This round of consultation included public outreach on the opportunities, challenges and issues facing the County and what priorities the new County OP needed to address. This round of consultation included creating a new vision to be carried forward in subsequent phases of the work program to assist with the formulation of new goals and policy directions for the 30-year planning horizon.

At that time three advisory groups were established to provide input and feedback as part of the Official Plan review process. These groups included a Technical Planning Advisory Committee ("**TPAC**"), a Community Stakeholder Advisory Group comprised of representatives from key business, community and non-profit sectors and a Youth Advisory Group, comprised of students from the Secondary Schools in Essex County. Workshops were held with each of the advisory groups and County Council. One on one consultations also took place with representatives from Indigenous Communities, City of Windsor, ERCA, MMAH and other Regional agencies with an interest in land use planning. The project website was established at this time, and an on-line survey was created. A social media campaign, along with traditional media sources, have been utilized to share information throughout the review process. A Phase 1 Background Report and a Growth Analysis Report were prepared as part of the initial phase and were made available for review to all interested stakeholders and the public at large. At that time, residents and interested parties were asked to sign up to a project mailing list to receive notices of future OP related work and meetings. There are 192 individuals on the project email list that are notified regularly regarding project milestones. There are also 44 agencies that have been circulated information throughout this multi-year initiative.

At the outset of Phase 2, the procurement process by the County resulted with NPG Planning Solutions selected to undertake consulting services to complete the remainder of the Official Plan review process. A Policy Options and Key Directions Report was prepared during this phase and additional workshops were held with County Council, the three advisory groups and with all participants that expressed an interest and attended one of the three virtual workshops held during October of 2023. The Growth Management Report (Land Needs Analysis) was prepared by the planning consultant. During this phase of the project, Phase 2 reports were published to the County's project website as they were completed. Further, consultation took place with Indigenous Communities, local municipal Councils, adjacent municipalities, Provincial Ministries and Regional Agencies on the studies/reports that had been prepared. Copies of these reports were made

available on the project webpage, and residents and interested parties were given an opportunity to review and provide feedback to County Staff.

As noted in the report provided to County Council for the statutory public meeting on September 5, 2024, Phase 3 of the work program included a public open house centrally located for all county residents in McGregor. This open house was well attended by sixty individuals and provided an opportunity for the public to view display panels identifying key policy directions, to ask questions, and learn more about proposed land use designations and policies that form the basis of the County's draft new Official Plan. Copies of the draft new Official Plan, together with panels from this open house were made available on the project webpage, and residents and interested parties were given an opportunity to review and provide feedback to County Staff.

It should also be noted that throughout the Official Plan review process, County Planning Administration along with Mary Lou Tanner and Larry Silani have met with numerous individuals and stakeholders, when requested, to hear comments and to receive feedback regarding the draft plan. Further, well over a hundred emails have been received and reviewed by the project Planning team. These emails from individuals, agencies, municipalities and Ministries have been reviewed and changes have been made to the draft Official Plan in response to these on-going comments.

Discussion

The new County of Essex Official Plan will establish important strategic directions and targets for both the County and local Official Plans once adopted by Council, and approved by the Province.

A number of significant complementary and supportive planning initiatives are currently underway (at both the County and local level) that rely on the 30-year growth forecasts and policy directions being adopted by County Council. In addition, the new County-wide housing policies, complete community policies, and growth management policy framework will be utilized by all 7 of the local municipalities, for local official plan updates and secondary plans that are currently underway.

The preparation of this new County Official Plan has been a collaborative affair, with significant contributions being made by local municipal planning staff, community stakeholders, interested residents, and provincial and regional ministries and agencies who participated in the multi-phase work program leading up to the preparation and submission of the final draft of the County's new Official Plan.

It should be noted that the final draft of the new Official Plan contains significant revisions to reflect and support County Council's commitment to the restoration and enhancement of the County's natural heritage system. This commitment also capitalizes on County Council partnering with local municipalities, County landowners, Indigenous Communities, and senior levels of government to successfully implement and achieve the goals set out in the new Official Plan. By establishing a restoration target (15 percent of all land) which is aligned with one of the most important strategic conservation goals for this region, and incorporating/adopting the revisions that have been made to the final draft of the new County Official Plan, County Council is demonstrating a strong leadership role in creating an environmentally and fiscally responsible Official Plan policy framework that will enhance the quality of life for all existing and future inhabitants of Essex County.

On September 5, 2024 the statutory public meeting was held to hear public comments on the draft County Official Plan with five delegations presenting to County Council. The attached Comment Response Table from NPG Planning Solutions provides a detailed response to municipal, agency and public comments received in response to the most recent draft of the Official Plan, including the comments received as part of the formal statutory public meeting. The delegations included three presentations regarding natural heritage policies, a request to modify the policies pertaining to the Oldcastle area and a requested settlement area boundary adjustment to lands in Lakeshore.

As a result of the delegations received at the public meeting, as well as feedback received in writing after the public meeting, the following comments summarize changes made to the draft Official Plan. Greater detail is presented in the related Appendix. It should be noted that significant changes have been made to the natural heritage systems policies section of the Official Plan throughout the various drafts of the document, including the final revised draft that is being presented to County Council for adoption purposes.

Natural Heritage Policies

All natural heritage policy categories have been combined onto one schedule in the Official Plan (Schedule "B") to better reflect the actual natural heritage system across Essex County. Once combined, all three layers including the natural environment designation, natural environment overlay along with restoration opportunities and wildlife and habitat corridors create a connected natural heritage system from Ojibway to Lake Erie and the Detroit River to Hillman Marsh in Leamington at 20% natural areas coverage. In order to enhance the natural heritage system in the coming planning horizon

additional policies requiring the commitment of capital and operating funding have been added to sections of the Official Plan.

Wildlife and habitat corridors have been added to the natural heritage system schedule along with new policies recognizing the wildlife and ecological linkage created by these corridors such as the Chrysler Canada and CASO Greenways. A policy has also been added committing the County to complete an update to the Essex Region Natural Heritage System Strategy within the next five years.

The Official Plan has established a goal for 15 percent natural areas coverage for this planning horizon. Presently, natural areas coverage is at approximately 9 percent natural areas coverage. The County Official Plan also recognizes that achieving this goal will require the support and participation of local County municipalities, community stakeholders, and landowners to achieve this important policy objective. It also provides encouragement and support to local communities to build and enhance their local natural corridors.

Policies in the Official Plan have been updated to provide a higher level of protection from that directed in the Provincial Policy Statement of “a demonstration of no negative impact on the natural features or ecological functions” to adoption of “a no net loss approach”. This directive will give County and Local Planning Administration greater authority in protecting and requesting compensation at the time of processing Planning applications. The policies also direct that conveyance of lands within the natural heritage system to a public authority, at no cost, as part of the development approval process to ensure these lands will be protected in perpetuity.

There are also additional policies focusing on enhancement to the urban forest to be integrated into complete communities.

Oldcastle Area Policies

The Oldcastle area policies have been updated to remove language that was previously identifying the lands to be primarily developed for employment uses and also recognizes that opportunities exist to expand upon the existing residential clusters that are situated in the area. The County OP recognizes that a land use study is currently under preparation by Tecumseh that will incorporate new and or revised policies into the Tecumseh Official Plan based on the results of their study and local consultation process.

Requested Settlement Area Boundary Change- Lakeshore

William Pol presented at the public meeting on behalf of his clients, the Sylvestres, regarding a requested settlement area boundary adjustment in Lakeshore. The Municipality of Lakeshore and NPG Planning Solutions

provided comments in response to the proposed settlement area boundary change. Both the County's planning consultant and Lakeshore Staff identified that the requested amendment is outside the scope of the County's Official Plan review process and is presently premature.

The Town of Essex has also initiated a review of their local Official Plan. The County has received a large number of comments regarding the local Official Plan which have been reviewed and maintained separate from the County Official Plan review process. County Staff have been in discussions with Town of Essex Planning Staff, and we understand that there are a number of significant servicing challenges that will impact where and how the Town is able to accommodate future growth. As part of their local official plan review, local staff in Essex will be identifying and reviewing servicing options to ensure that growth takes place in manner that is fiscally and environmentally responsible, consistent with the new County policies and applicable Provincial policies. The Town of Essex Official Plan will need to fully conform to the County's draft Official Plan and will be reviewed by the County as the delegated approval authority on behalf of the Province.

The County's Planning consulting team has responded to the comments received during the review of the Official Plan through the preparation of five drafts of the draft Official Plan. The final draft of the Official Plan was published on the County's website on September 30th. Following adoption of the new Official Plan, the document will be circulated to the Ministry of Municipal Affairs and Housing for final approval.

Financial Implications

The costs related to the consulting fees for the completion of the Official Plan (OP) Review have been effectively managed within the allocated budget, drawing from the County Official Plan Review Reserve. This reserve is maintained and replenished annually to ensure there are sufficient funds available to cover the necessary expenses related to the OP review when required.

As for the broader financial implications of the Official Plan, it is important to note that they cannot be fully quantified at this time. The Official Plan lays the foundation for future land use and growth management, including planning for housing, jobs, agriculture, environmental protection, and climate resilience. The financial impacts will be dependent on how these initiatives and policies are implemented over time, and will be influenced by future actions, investments, and decisions made by the County and its stakeholders. Therefore, the costs associated with the plan's implementation

will emerge in subsequent Council reports, aligned with the strategies outlined in the plan.

Consultations

All agency comments and feedback has been considered and a comprehensive response table has been prepared and sent to agencies advising as to how their comments have been addressed in the drafts of the Official Plan. The draft Official Plan and associated land use schedules have been posted on the County’s project website for several months.

Strategic Plan Alignment

Working as Team Essex County	Growing as Leaders in Public Service Excellence	Building a Regional Powerhouse
<ul style="list-style-type: none"> <input type="checkbox"/> Scaling Sustainable Services through Innovation <input checked="" type="checkbox"/> Focusing “Team Essex County” for Results <input checked="" type="checkbox"/> Advocating for Essex County’s Fair Share 	<ul style="list-style-type: none"> <input type="checkbox"/> Being an Employer with Impact <input checked="" type="checkbox"/> A Government Working for the People <input checked="" type="checkbox"/> Promoting Transparency and Awareness 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Providing Reliable Infrastructure for Partners <input checked="" type="checkbox"/> Supporting Dynamic and Thriving Communities Across the County <input checked="" type="checkbox"/> Harmonizing Action for Growth <input checked="" type="checkbox"/> Advancing Truth and Reconciliation

Recommendation

That Essex County Council receive/approve report number 2024-1016-IPS-R24-RB, New County of Essex Official Plan and direct the by-law for adoption as part of the Council Meeting. Further that administration be directed to send the Official Plan to MMAH for final approval.

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	Final County of Essex Official Plan for Adoption & Maps Schedules A1 through F1
B	County of Essex Official Plan- Comment and Response Table from the Public Meeting and following
C	Mary Lou Tanner correspondence on the Greenbelt versus Essex County countryside
D	County of Essex Official Plan Review Timeline