



Administrative Report

To: Warden MacDonald and Members of Essex County Council

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

Date: Wednesday, January 15, 2025

Subject: 2025-0115-R01-RB Statutory Public Meeting to hear comments on County OPA 7, 810 Mersea Road 4

Report #: 2025-0115-IPS-R01-RB

Purpose

To provide County Council with information concerning a proposed amendment to the County of Essex Official Plan requested from Great Lakes Greenhouse Inc. (the "**Applicant**"). Further, pending public and/or agency comments received at this public meeting, to recommend that the associated amendment and by-law be advanced for approval as part of the upcoming County Council meeting.

Background

The Official Plan contains map schedules that depict the location of various permitted land uses and the settlement structure including Primary and Secondary Settlement Areas within the County.

The County is in receipt of an application for an Official Plan Amendment which proposes to amend Schedules "A1" and "A2" of the County Official Plan. The requested amendment would remove 0.3ha of the Secondary Settlement Area on the parcel of land located at 810 Mersea Road 4 to re-designate this land from Secondary Settlement Area to Agricultural (See Map 1 for the location of the subject lands in the Municipality of Leamington).

The owners of the subject lands have requested this amendment in order to support the conversion of the existing dwelling on the property to worker housing for the neighbouring greenhouse operation. This re-designation is required to support a local OPA already adopted by the Municipality of Leamington which will enable the property to be rezoned to a site-specific Agricultural Zone. The local Official Plan Amendment was recently approved in response to the identified need demonstrated by the adjacent greenhouse

farm for additional farm worker housing. A concurrent Zoning By-law 97-24 was approved by Council on the 12th day of November, 2024 and will come into full force and effect upon final approval of Leamington OPA 27.



Discussion

A Planning Justification Report (the "**PJR**") was provided by the Applicant's planning consultant, Robert Brown, which includes a statement that the designation removal is consistent with the Provincial Planning Statement (the "**PPS**") and conforms to the County of Essex Official Plan. The removal of the settlement area lands will be added to the Leamington allocated "land bank" to be considered as part of the Leamington Official Plan review for potential designation in another location. The PJR from Robert Brown provides the following:

"The lands are designated Secondary Settlement area by the County of Essex Official Plan and Hwy 77 Corridor

Commercial District by the Leamington Official Plan. The lands are therefore considered Employment Area and subject to Section 1.3.2. However, since the proposed use is agricultural and the lands are surrounded by agriculture, consideration should be given to the policies of Section 2.3, Agriculture as well.

In order to consider the use of the property for Agricultural Section 1.3.2.4 states the following: "Planning authorities may permit conversion of lands within employment area to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Comment: PPS has and continues to support a hierarchy of land use that places priority on the protection of farmland. More directly to the point of comprehensive review the County of Essex has undertaken background work as part of the County's Official Plan review process. Based on the County of Essex Growth Management Report prepared in 2023 by NPG Planning Solutions the Municipality of Leamington has an available Employment Area land supply of 238.45 ha (589.2 ac.). Over the 30-year time horizon that the report reviewed the Municipality will need, based on the high need scenario, 126.72 ha (313.1 ac.). This means the Municipality has an existing surplus of 111.73 ha (276 ac.) of Employment lands. The Growth Management report, under recommendation 6 concludes that no additional Employment lands are required. With this in mind it would be safe to conclude that the proposed removal of the 0.3 ha (0.76 ac.) subject parcel from the current designation will not have an impact on the 30-year supply of Employment lands. Therefore, this should demonstrate that Section 1.3.2.4 of the PPS has been addressed."

"The County Official Plan shows the subject property within a secondary settlement area. These areas are not generally to be the focus of growth but rather infilling and the rounding out of existing development. The subject property is 0.3 ha (0.76 ac.) and contains an existing dwelling. In consultation with the Municipality it was concluded that the small removal of lands from the secondary settlement area would not negatively impact on the development of the large area with the Hwy 77 Commercial Corridor or the future servicing plans."

Due to the timing of receipt of the County OPA application and Leamington OPA, both the current County Official Plan (in effect, 2014) as well as the adopted County OP (2024) were reviewed and considered in the context of this application. Further, both the prior PPS as well as the new PPS (2024) had to be addressed.

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 proposed County Official Plan Amendment was circulated to the local municipality and public agencies as required by the *Planning Act*. A sign was also posted on the subject lands and a notice was sent in the mail to residents within 120 metres of the subject lands as required. Notice of the

public meeting was also posted on the news section of the County’s website. Comments were received from the Essex Region Conservation Authority (ERCA) which state:

"The above noted lands are subject to our Regulation under the Conservation Authorities Act (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Pelee Creek Drain.

We note that our office is providing further comments on this development under Leamington file PC-39-24. Comments were previously provided under Leamington files OPA 27 and ZBA 314. Our office has no objection to the County of Essex file OPA-07."

Comments were also received from Essex Power which state that the subject lands are not included within the Essex Power Lines Service Area.

There were no comments received from the public regarding this application.

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 type="checkbox"/> Focusing "Team Essex County" for Results <input 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 type="checkbox"/> Providing Reliable Infrastructure for Partners <input checked="" type="checkbox"/> Supporting Dynamic and Thriving Communities Across the County <input type="checkbox"/> Harmonizing Action for Growth <input type="checkbox"/> Advancing Truth and Reconciliation

Recommendation

That Essex County Council receive report number 2025-0115-IPS-R01-RB, Statutory Public Meeting to hear comments on County OPA 7, and that pending comments received, consider the adoption of a By-law at a future meeting of Council.

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
Appendix A	Proposed By-law and Official Plan Amendment No. 7
Appendix B	Planning Justification Report, Robert Brown
Appendix C	OPA-7 Notice of Public Meeting
Appendix D	OPA-7 ERCA Comments