



## Administrative Report

**To:** Warden MacDonald and Members of Essex County Council

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

**Date:** Wednesday, September 17, 2025

**Subject:** Final Decision County Official Plan

**Report #:** 2025-0917-IPS-R18-RB

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### Purpose

To provide the Notice of Decision as issued by the Province on the County Official Plan, for County Council's information.

### Background

This report is provided further to the Council reports provided during the Official Plan review process. On November 6, 2024 County Council adopted by new County Official Plan, through the associated By-law 2024-45.

### Discussion

Following County Council's adoption of the County Official Plan ("County OP"), the complete municipal submission was prepared and sent to the Ministry of Municipal Affairs and Housing ("the Province") for review and final approval. Since the submission of the adopted County Official Plan to the Province, County Planning Services administration have been in regular contact with administration from MMAH to discuss timing for the final review and approval of the County OP.

The Notice of Decision ("the Decision") which is dated August 15, 2025 included thirty ("30") modifications to the decision. As noted in the Decision *"the 30 modifications to the Official Plan have been made to address provincial legislative and policy direction related to settlement area boundary expansions, additional residential units in prime agricultural areas, cultural heritage and archaeology, land use compatibility, employment areas, mineral aggregate extraction in prime agricultural areas, and transportation planning, among other matters"*.

More specifically the modifications included the following details:

Table 1 summarizes all revisions and additions that have been made to the new OP.

**Table 1**

<b>Official Plan Section/Schedule Affected</b>	<b>Rationale for Revision</b>
Whole document	All references to various Provincial Ministries are replaced with "the Province" so that if Ministry names are outdated then references to the Province is accurate.
Section 4.A.1.8	"Units" is replaced with "jobs" per net hectare to accurately reflect the how the forecast is measured.
Section 4.A.3.5 Section 4.A.4 Section 5.A.8.2 a)	PPS Policy 2.3 sets out policies for Settlement Areas which do not include any prohibitions for Settlement Area boundary expansions. This modification ensures that the official plan is consistent with the PPS.
Section 4.A.8.2 Section 4.C.3.5	PPS 2.8.2.5 sets out the criteria for the removal of land from employment areas, which does not include timing restrictions. This modification ensures that the official plan is consistent with the PPS.
Section 4.A.9.1 Section 4.A.9.2 Section 4.A.9.3h) Section 5.A.1.2 Section 5.A.6.3b)	PPS policy 2.3.2 sets out the requirements for the identification of new settlement areas and settlement area boundary expansions. This modification ensures that the official plan is consistent with the PPS.
Section 4.C.2.1d)	PPS policy 2.8.1 e) sets out that land use compatibility adjacent to employment areas shall be addressed by providing an appropriate transition to sensitive land uses. This modification ensures that the PPS requirement for appropriate transition is specified in the official plan.
Section 4.C.3.2	PPS policy 2.8.2.3 d) prohibits sensitive land uses that are not ancillary to uses permitted in employment areas. This modification ensures that the official plan is consistent with the PPS.

<b>Official Plan Section/Schedule Affected</b>	<b>Rationale for Revision</b>
Section 4.C.3.4	PPS defines employment areas as “those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above”. This modification ensures that the official plan is consistent with the PPS.
Section 4.C.4.2	PPS policy 2.8.2.3 prohibits certain land uses from employment areas.
Section 4.C.4.3	PPS policy 2.8.1 sets out policies to promote economic development, including the provision of a range and choice of suitable sites for employment uses. Lot size is a precise term which may cause implementation issues when applying the proposed official plan section 4.C.4.3. This modification ensures that a more general term is used in accordance with the PPS, to ensure there are no unintended implementation issues.
Section 4.C.4.4	PPS policy 2.8.2.5 sets out criteria for the removal of lands from employment area. This modification ensures that the official plan is consistent with the PPS.
Section 5.A.2.1 f)	PPS policy 4.3.2.5 sets out the criteria for additional residential units in prime agricultural areas. This modification ensures that the criteria of PPS policy 4.3.2.5 are included in the official plan.

<b>Official Plan Section/Schedule Affected</b>	<b>Rationale for Revision</b>
Section 5.B.8.5	PPS policy 4.5.4 sets out policies for mineral aggregate extraction in prime agricultural areas. In addition to rehabilitating the site to an agricultural condition, the requirements for extraction in prime agricultural areas include avoiding/mitigating impacts to the agricultural system in accordance with PPS policy 4.3.5.2. This modification would ensure that the official plan is consistent with the PPS policy 4.5.4.
Section 6.A.4	PPS definition of “conserved” includes the management of cultural heritage resources and outlines certain plans and assessments that can be implemented to achieve conservation goals. This modification would align the official plan policy to be consistent with the PPS definition of “conserved”.
Section 6.A.5	PPS policy 4.6.1 sets out that protected heritage properties shall be conserved. The Ontario Heritage Act (OHA) provides the tools to implement the PPS policy. Section 34 of the OHA states that the demolition or removal of any buildings or structures on or any heritage attributes of a heritage property requires the consent of council. This modification would align the official plan policy wording with the PPS policy 4.6.1 and implement the OHA requirement of consent of council for the demolition or removal of any buildings or structures on or any heritage attributes of a heritage property.
Section 6.C.2	PPS policy 4.6.2 sets out that development and site alteration on lands containing archaeological resources or areas of archaeological potential are not permitted unless the significant archaeological resources have been conserved. The Ontario Heritage Act (OHA) provides requirements for conserving archeological resources. This modification would align the official plan policy with the PPS policy 4.6.2 and the OHA.

<b>Official Plan Section/Schedule Affected</b>	<b>Rationale for Revision</b>
Section 8.B.2 b) iv)	According to the Environmental Protection Act, a Record of Site Condition (RSC) is required when there is a change in land use to a more sensitive use, not when contamination is identified. Furthermore, there are several letters issued by MECP during the RSC review and filing process with similar titles, including 'notice of receipt' letter and 'RSC Acknowledgement Letter'. This modification would clarify the RSC requirement and review process.
Section 11.B.2	The <i>Public Transportation and Highway Improvement Act</i> establishes approvals and permit requirements within MTO's permit control area around provincial highways. This modification would ensure compliance with the requirements of the Act.
Table 11-1	Updated the list of the needed road widenings.
Section 11.G.6	PPS Policy 3.5.1 sets out that land use compatibility between major facilities and sensitive land uses be achieved in accordance with provincial guidelines. This modification would clarify that land use compatibility for new waste management related facilities be located in accordance with the MECP Environmental Noise Guideline NPC-300.
Sections 12.D.2 b) and c)	This modification would ensure the official plan's implementation section aligns with the changes made through other modifications and removes 'comprehensive review' policies that are not contemplated in the PPS.
Definition of "archaeological resources" under Section 13	"Archaeological resources" is defined under PPS Section 8 (Definitions). This modification would ensure that the official plan definition is consistent with the PPS definition.

<b>Official Plan Section/Schedule Affected</b>	<b>Rationale for Revision</b>
Schedules A1, A2 and B	Remove the Natural Environment designation from the following areas with reasons: <ol style="list-style-type: none"> <li>1. Cedar Beach in Kingsville is a public recreational beach and is not a Provincially Significant Wetland (PSW)</li> <li>2. 538 Bevel Line in Leamington. Since 2020, the owners of this property have been undertaking studies to support a plan of subdivision and rezoning application at 538 Bevel Line in Leamington. In 2022, MNRF supported a wetland boundary readjustment that removes a small portion of the property from being identified as a PSW.</li> <li>3. The 401 Highway interchange at Todd Lane in LaSalle is not a PSW.</li> </ol>

For County Council’s information, Mary Lou Tanner, Larry Silani and Rebecca Belanger put forward a submission to the Ontario Professional Planners Institute seeking consideration for a 2025 PlanOn Award for the new Official Plan specifically in the “Vision Award of Excellence” category. The new County Official Plan has won this prestigious award and Mr. Silani and Ms. Belanger will be attending the PlanOn Gala on September 18 to receive this award. These awards are presented annually and recognize the highest achievements in planning policy innovation and dedication to planning excellence in the Province.

### **Financial Implications**

The costs related to the consulting fees for the completion of the Official Plan (OP) Review were effectively managed within the allocated budget and had concluded in 2024, 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, 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 community partners. Therefore, the costs associated with the plan’s implementation will appear in subsequent Council reports, aligned with the strategies outlined in the plan.

**Consultations**

Erick Boyd, and Gabriel Kim, of the Ministry of Municipal Affairs and Housing were consulted during the preparation of this report.

**Strategic Plan Alignment**

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

**Recommendation**

That Essex County Council receive report number 2025-0917-IPS-R18-RB, Final Decision County Official Plan for information.

## 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	<a href="https://www.countyofessex.ca/en/doing-business/comprehensive-official-plan-review-2021-2023.aspx">https://www.countyofessex.ca/en/doing-business/comprehensive-official-plan-review-2021-2023.aspx</a>
B	Cover Letter from MMAH
C	Notice of Decision with Modifications issued by the Province, August 15, 2025