



Essex County Council Special Meeting Agenda

Date: Wednesday, October 4, 2023
Time: 4:00 PM
Location: Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6
<https://video.isilive.ca/countyofessex/live.html>

Public Meeting to Hear Comments on Official Plan Amendment No. 03 - Community Improvement Plan Policies

Accessible formats or communication supports are available upon request. Contact Clerk's Office, clerk@countyofessex.on.ca, 519-776-6441 extension 1335

Pages

1. Call to Order

This special public meeting is being held, pursuant to Sections 17 & 22 of the Planning Act, R.S.O., 1990, as amended, for the purposes obtaining public comments on the proposal to amend the County of Essex Official Plan to incorporate policies that would allow for the County to participate in grant programs of the County of Essex's seven (7) local municipalities that have Community Improvement Plans.

2. Land Acknowledgement Statement

We acknowledge the land on which the County of Essex is located is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, Odawa and Potawatomie Peoples. We specifically recognize Caldwell First Nation and other First Nations which have provided significant historical and contemporary contributions to this region.

We also value the contributions of all Original Peoples of Turtle Island, who have been living and working on this land from time immemorial.

3. Recording of Attendance

4. Disclosure of Pecuniary Interest

5. County Warden's Welcome and Remarks

6. Delegations and Presentations

Recommendation:

Moved by _____

Seconded by _____

That the delegations regarding OPA No.3 - Community Improvement Policies be permitted to address County Council.

6.1 Invest Windsor Essex

Marion Fantetti, Business Ombudsman and Joe Goncalves, Vice President Investment Attraction & Strategic Initiatives, Invest Windsor Essex

7. Communications

7.1 Correspondence

Recommendation:

Moved by _____

Seconded by _____

That the correspondence listed on the special agenda for October 4, 2023, be received and any noted action approved.

7.1.1 Notice of Complete Application and Virtual Public Meeting

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Official Plan Amendment - File Number OPA-03
Community Improvement Plan Policies

7.1.2 Town of Tecumseh

Correspondence supporting Community Improvement Plan Policies OPA Amendment. (See Appendix D under Item 6.1)

7.1.3 Invest Windsor Essex

Correspondence supporting Community Improvement Plan Policies OPA Amendment. (See Appendix E under Item 6.1).

7.1.4 Essex Region Conversation Authority

Correspondence indicating no objections to Community Improvement Plan Policies OPA Amendment. (See Appendix F under Item 6.1)

8. Reports and Questions

8.1 Public Meeting to Hear Comments on County Official Plan Amendment to Update the Community Improvement Plan Policies

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Report Number 2023-1004-IPS-R32-RB, Public Meeting to Hear Comments on County Official Plan Amendment to Update the Community Improvement Plan Policies, from Rebecca Belanger, Manager, Planning Services, dated October 4, 2023.

9. Adjournment



**NOTICE OF COMPLETE APPLICATION AND VIRTUAL PUBLIC MEETING
Official Plan Amendment - File Number OPA-03
Community Improvement Plan (CIP) Policies**

Wednesday, October 4, 2023, at 4:00 p.m.

Livestream on the County of Essex website: <https://video.isilive.ca/countyofessex/live.html>

Purpose

Essex County Council will hold a public meeting, through virtual means, pursuant to Sections 17 & 22 of the *Planning Act, R.S.O., 1990*, as amended, for the purposes of amending the County of Essex Official Plan to incorporate policies that would allow for the County to participate in grant programs of the County of Essex's seven (7) local municipalities that have Community Improvement Plans.

A Community Improvement Plan (CIP) is a tool enabled through the *Planning Act* that allows municipalities to provide tax assistance, grants, or loans to private property owners and tenants to assist in the revitalization of lands and/or buildings within a defined Community Improvement Project Area. CIPs are intended to encourage revitalization, support economic development, and/or stimulate development and redevelopment.

Under Section 28(7.2) of the *Planning Act*, the County has the ability to support local municipalities for the purpose of carrying out a CIP with grants and incentives, provided the Official Plan of the County of Essex contains provisions for policies related to making grants and incentives. The County does not have the ability to establish its own CIP.

The proposed Official Plan Amendment applies to all of the County of Essex, therefore a map has not been provided.

Members of the public who want to watch the meeting can view the livestream on the County of Essex website:

<https://video.isilive.ca/countyofessex/live.html>

**There is no in-person attendance available for this meeting.
Members of the public who wish to participate during the Public Meeting and provide their comments directly to Council on the**

Official Plan Amendment can do so virtually and must register with the Clerk's Office to be a delegate no later than 12:00 p.m. (noon) on Friday, September 29, 2023. Delegations will be limited to five minutes. To register as a delegate, please complete the online form at the following link <https://eforms.countyofessex.ca/Council-Services/2023-10-04-Delegation-Request-Form-Official-Plan> or by scanning the following QR code:



To participate virtually, you will need access to a computer or tablet with internet service or a telephone. There is no in-person attendance available for this meeting. Your application to participate as a delegate will be reviewed and you will be notified by the Clerk if your request has been approved. Only registered and confirmed delegates may bring forward presentations or information to be considered as part of the Official Plan Amendment process at the Public Meeting.

Your Input is Important

Any person may participate in the virtual Public Meeting and/or provide written or verbal representation. If you are unable to participate in the virtual meeting, you may provide written comments by submitting them to the address or email below. Please include your mailing address with your written comments.

By Mail: Rebecca Belanger, MCIP, RPP, Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M 1Y6

By Email: rbelanger@countyofessex.ca

If you wish to be notified of County Council's decision regarding the proposed Official Plan Amendment, you must make a written request to Rebecca Belanger, MCIP, RPP, Manager, Planning Services, at the address or email shown above and such request must include the name and mailing address to which such notice should be sent.

Additional Information relating to this matter, including information about appeal rights, can be made available to the public by contacting Rebecca

Belanger, MCIP, RPP, Manager, Planning Services, at rbelanger@countyofessex.ca or by calling 519-776-6441, ext. 1325.

Notice of Collection

Personal information collected as a result of this virtual public meeting is collected under the authority of the *Municipal Act*, the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, the *Planning Act*, and all other relevant legislation, and will be used to assist in making a decision on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will be made available for public disclosure to members of the public, at the meeting, through requests and through the County of Essex website. Questions regarding the collection, use and disclosure of this personal information may be directed to the Clerk, Essex County Civic Centre; 360 Fairview Avenue West, Essex, ON, N8M 1Y6.



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, October 04, 2023

Subject: Public Meeting to hear comments on a County Official Plan Amendment to Update the Community Improvement Plan Policies

Report #: 2023-1004-IPS- R32-RB

Purpose

To provide information to County Council, the public, local municipalities and agencies on the proposed Community Improvement Plan (CIP) Policy language and to hear public comments. The Official Plan Amendment (OPA) as presented, is intended to provide the policy regime that would allow the County to participate in matching grant programs of lower-tier municipalities with Community Improvement Plans in place.

Background

Further to reports that were provided to County Council on September 7, 2022, and July 19, 2023 (attached for information) which summarized the process to enable the County to participate in grant programs aimed at contributing to our local municipalities that have Community Improvement Plans, additional information is provided for County Council's consideration.

In June of 2022, correspondence was received from the Town of Tecumseh requesting that the County initiate a process to amend the County Official Plan in order to incorporate revised Community Improvement Plan policies that would allow for the County to participate in grant programs of its local municipalities. It was acknowledged in the report that the Town of Tecumseh had finalized the process to put in place a new Town-wide Community Improvement Plan aimed at targeting and incentivizing large-scale industrial development. As noted in the report, it is common practice by municipalities through the use of CIPs to provide a suite of incentives including municipal

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rebates on property tax, reductions in development charges and Planning and Building application fees. The report provided to County Council last fall was drafted in the context of supporting incentives for purposes of attracting large-scale industrial development to the region.

More recently the Town of Amherstburg adopted an Economic Development Community Improvement Plan and also requested the County to participate in any financial incentives applicable to the County of Essex, which at this time would be limited to property tax equivalent grant programs.

As noted in the previous report, due to the two-tier municipal structure in Essex County, local municipalities are only able to provide tax increment rebates for their portion of the property tax and the County and Education portions still require full collection. The proportions of municipal tax rebates by the seven local municipalities vary slightly, however local programs would result in a potential rebate of around 50% of the total tax bill with the remainder, attributable to the County and Education levy, still owing.

Discussion

Following the County Council meeting on July 19, 2023 which included a report on this matter, the Planning Report and associated draft Official Plan Amendment were circulated to Invest WindsorEssex and the seven local municipalities for comments. The notice of public meeting pertaining to the OPA was also listed in the Windsor Star and on the County's website seeking public and agency feedback. At the time of preparation of this report, comments were received from Invest WindsorEssex (attached), the Municipality of Lakeshore, Towns of Essex, Kingsville, Amherstburg and Tecumseh (attached).

The proposed policy language in the Official Plan Amendment as drafted states the following:

" 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."

As a result of the circulation of the proposed OPA, one of the local municipalities has requested that the County also consider adding language to the policies in the OPA that would broaden and allow for financial support for attainable and affordable housing initiatives. County Planning supports innovative and collaborative approaches to enhancing opportunities to build more affordable housing. The Town of Essex Administration has requested that the County consider opportunities to provide incentives for agricultural related business grants.

County Administration have previously assessed the possible financial implications associated with matching tax grant funding for industrial projects in the first Planning Report to County Council on this matter on September 7, 2022. As the request for an Official Plan Amendment to allow the County to participate in grant funding for large scale industrial development came forward in June of 2022 by one of the local municipalities and in light of on-going potential to attract large scale industrial development to the County, there is some urgency to approving the OPA for additional CIP policy language.

County Planning Administration are embarking on discussions with the Official Plan Review Consultants on the topic of CIP policies and approaches to address these additional areas including affordable housing. The financial

implications of broadening the program to affordable housing are unknown at this time and would require additional considerations. Based on County Council's direction, a fulsome review and response to these additional policy areas can be investigated with a report back.

It is recommended that the additional areas brought forward by two of the local municipalities be addressed separately with a comprehensive analysis and report back to County Council.

Financial Implications

The financial implications were outlined in the September 7, 2022, report and are briefly reiterated below.

Adopting CIP policies in the Official Plan, which will enable the County to provide grant funding, will generate costs related to the value of the awarded tax increment grants and costs to administer the program (review applications, calculate and pay grants on an annual basis and maintain records). These costs would be offset by the increased tax assessment generated by the new development as well as the benefit of the additional job creation and spin-off industry.

The two local municipalities that have requested the County to participate in the CIP property tax grant programs have utilized different approaches which will need to be considered in the context of financial implications for the County.

The Town of Tecumseh tax increment grant limits the tax rebate of up to 50% of the year over year increase in assessment and provides a rebate for up to 10 years. The report from September 7, 2022, pages 4 and 5, illustrated examples of the costs to the County based on a qualifying automotive assembly plant ranging in size from 125,000 square feet to 1,500,000 square feet. The Town of Tecumseh's program which proposes the collection of a portion of the property tax growth will help to offset costs to the municipality for providing the matching grant funding. Details with respect to each CIP application will be determined on a case by case basis and then brought forward in the form of agreements subject to Council approval.

The Town of Amherstburg property tax equivalent grant program provides a grant equivalent of up to 100% of the municipal property tax increase created by the project for up to 10 years after project completion for industrial development and up to 5 years for commercial development.

The proposed draft Official Plan Amendment establishes the policy regime to support the County's ability to participate in lower-tier CIP incentive programs however does not provide the specific eligibility criteria for the County's participation. County Council will maintain control over the financial implications, if any to the County, through the development and approval of the program guide.

County Council has the option of discontinuing the program in the future at any time should the strategic development targets be achieved. Should Council approve the advancement of matching CIP grant funding, the 2024 Budget would include an estimate of the financial impact.

The program guide would also include direction on topics such as: potential annual funding caps, longevity of the program and prioritization of projects should demand exceed financial capacity.

Consultations

Stephen MacKenzie, Marion Fantetti and Joe Goncalves from Invest Windsor Essex have been consulted throughout the preparation of the OPA. Administration regularly meets with administration from Invest WindsorEssex to remain updated on economic development priorities and initiatives advancing throughout the County. As the program guide and associated grant program is prepared, Invest WindsorEssex will be consulted to obtain their insights for the appropriate funding criteria.

All seven local Municipal Planning Departments have been consulted regarding this initiative. The Planning Reports from September 7, 2022 and July 19, 2023 were provided to the Essex County Directors/Managers of Planning. The municipal planners are supportive of the Official Plan Amendment to modify and update the County Official Plan CIP policies, however some are requesting consideration to broaden grant funding. The areas that local municipal planners have identified for consideration include: affordable housing and agricultural related business opportunities.

The Official Plan Planning Advisor and Administration from NPG Planning Solutions have been consulted during this initiative.

Recommendation

That Essex County Council receive the report of the Manager, Planning Services with regard to the proposed Official Plan Amendment No. 3 and that pending comments received at this public meeting, a report is brought back summarizing comments along with the associated by-law for adoption.

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	Report to County Council dated July 19, 2023
Appendix B	Proposed By-law and Official Plan Amendment No. 3
Appendix C	Report to County Council dated September 7, 2022
Appendix D	Correspondence from the Town of Tecumseh
Appendix E	Correspondence from Invest WindsorEssex
Appendix F	Correspondence from ERCA

July 20, 2023

Memo

To: Rebecca Belanger rbelanger@countyofessex.ca
Allan Botham abotham@countyofessex.ca
Jenelle Barrette jbarrette@countyofessex.ca

Re: Resolution of Council – Advancement of an Official Plan Amendment to the Community Improvement Policies

Essex County Council, at its Wednesday, July 19, 2023 meeting, adopted the following resolution:

193-2023

Moved By Michael Prue

Seconded By Gary McNamara

That Essex County Council direct the Manager, Planning Services to advance the draft Official Plan Amendment to the necessary statutory public meeting and summarize comments received from municipalities and stakeholders.

Carried

Please do not hesitate to contact me if you have any questions.

Regards,



Crystal Sylvestre
Administrative Assistant, Legislative & Community Services

Amendment Number 3

To The Official Plan for The County of Essex

Community Improvement Plan Policies

DRAFT

Amendment Number 3 to the Official Plan

For The County of Essex

DRAFT

I, Mary S. Birch, Clerk of the County of Essex, certify that this is a/the original/duplicate original/certified copy of Amendment Number 3 to the Official Plan for the County of Essex.

Dated this day of , 2023

Mary S. Birch, Clerk



The Corporation of the County of Essex

By-Law Number XX-2023

Being a By-law to adopt Official Plan Amendment Number 3 to the County of Essex Official Plan

Whereas the Planning Act permits municipal Councils to adopt amendments to Official Plans in accordance with the procedure outlined in the Act and corresponding regulations; and

Whereas the Council of the Corporation of the County of Essex supports amendments to the Official Plan as provided herein;

Now therefore the Council for the Corporation of the County of Essex, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. Amendment Number 3 to the Official Plan for the County of Essex, consisting of the attached schedule, is hereby adopted.
2. That the Clerk is hereby authorized to notify the Ministry of Municipal Affairs and Housing of the approval of Amendment Number 3 to the Official Plan for the County of Essex;
3. This By-law shall come into force and take effect on the day of the final passing thereof.

Read a first, second and third time and Finally Passed this XXth day of XXXXXXXX, 2023.

Hilda MacDonald, Warden

Mary S. Birch, Clerk

I, Mary S. Birch, Clerk of the Corporation of the County of Essex, do hereby certify that the foregoing is a true and correct copy of **By-law Number XX-2023** passed by the Council of the said Corporation on the **XX** day of **XXX, 2023**

Mary S. Birch, Clerk
Corporation of the County of Essex

Amendment No. 3

To The Official Plan

For The County of Essex

Community Improvement Plan Policies

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 Appendix 3 - Minutes from the Public Meeting Held to Consider This Amendment
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Amendment No. 3

To The Official Plan

For The County of Essex

Community Improvement Plan Policies

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.

Appendix 1 – September 7, 2022

Appendix 2 – July 19, 2023

Appendix 3 - Minutes from the Public Meeting Held to Consider This Amendment



Administrative Report

Office of the Manager, Planning Services

To: Warden McNamara and Members of Essex County Council

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

Date: Wednesday, September 07, 2022

Subject: Request from the Town of Tecumseh to Initiate an OPA to incorporate revised CIP Policies

Report #: 2022-0907-IPS-R02-RB

Purpose

To request direction from County Council to initiate a process to amend the County's Official Plan for the purpose of incorporating Community Improvement Plan policies that would allow for the County to participate in grant programs of lower-tier Community Improvement Plans (CIP) specific to attracting large scale industrial development.

Background

Attached to this Council Report is correspondence from the Town of Tecumseh providing a resolution which states "*that County Council be requested to initiate a process to amend the County Official Plan in order to incorporate revised Community Improvement Plan policies that would allow for the County to participate in grant programs of lower-tier Community Improvement Plans that have been adopted in accordance with Section 28 of the Planning Act*".

The Town of Tecumseh has finalized the process to put in place a new Town-wide Community Improvement Plan aimed at targeting and incentivizing large-scale industrial development. The proposed CIP focusses on attracting major new industrial investment and development in the Town. The industrial CIP will allow the Town to provide rebates for eligible costs through financial incentive programs. It is common practice by municipalities through the use of CIPs to provide a suite of incentives including municipal

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rebates on property tax, development charges, and Planning and Building application fees. The intention of this industrial CIP is to strategically focus on incentivizing significant industrial development, in alignment with Federal and Provincial incentive programs, in order to generate broad economic development benefits to the Town and region. The Town's Official Plan currently contains policies that support the establishment of a CIP (S.10.8) and has recently been updated to provide broadened application.

As the Town has embarked on this process, it was noted due to the two-tier municipal structure in Essex County, local municipalities are only able to provide tax increment rebates for their portion of the property tax. The County and Education portions would still require full collection. For the Town of Tecumseh, this results in potential rebate to only 48.5% (municipal levy) of the total tax bill. The balance of the tax bill (31% County levy and 20.5% Education levy) would not be eligible for rebate. Adopting a matching CIP policy at the County level would afford local municipalities the ability to increase the financial incentive to qualifying developments. It should be noted; Education levies must still be collected.

In 2021, the Province released Driving Prosperity: Ontario's Automotive Plan Phase 2 with a main objective to transition and expand Ontario's automotive sectors towards vehicle and parts production for more hybrid and EVs by building at least 400,000 electric vehicles and hybrids by 2030. The County is well positioned to support the transition of the automotive sector as directed by the Provincial and Federal government in recent announcements.

With the recent major announcement regarding Stellantis/LG, Essex County is poised to attract similar companies, or large-scale feeder plants and enhance local synergies within the automotive sector. The intent of the CIP initiative would be to offer similar tax incentives that are available to single tier municipalities or cities. In order to attract the \$5 billion-dollar electric vehicle battery plant, the City of Windsor along with senior levels of government reportedly contributed significant incentives including a 20-year incremental property tax rebate. Incentives offer the region methods to further diversify and expand local economies in Essex County to ensure long-term sustainability and substantial job creation.

The County's Official Plan contains limited policies regarding Community Improvement Plans. Currently, the County Official Plan has policy 3.2.4.1 (f) encouraging CIPs for downtown/uptown areas. County Planning has conducted research regarding the method to support Tecumseh's request to contribute matching municipal tax increment rebates for large scale industrial investment and additional OP policies are required. Under Section

28(7.2) of the *Planning Act*, the County has the ability participate with the Town of Tecumseh for Community Improvement Plan grants and incentives and the County does not need a CIP to do so. Although, the Town of Tecumseh's request provides the impetus for the addition of policies in the County OP to participate in local CIP's, it should be noted that the OPA will generally allow the County to partner with all local municipalities offering financial incentives for economic stimulus for large scale industrial development.

Discussion

The County obtained an Outline of Services from Dillon Consulting to provide planning assistance to advance the project through the planning approvals process. Due to statutory requirements associated with an Official Plan Amendment under the *Planning Act*, this process is expected to take a minimum of three months to complete. Public consultation will form part of the work program and stakeholders such as Invest-WindsorEssex will be contacted to obtain their feedback. All seven municipalities will be consulted throughout the development of the OPA to ensure local municipalities have the ability to participate and respond to the language of the proposed amendment. Following receipt of County Council's approval, the work program will commence immediately with the intention of bringing the OPA back to County Council for approval expeditiously completing the amendment prior to advancing to Phase 2 of the County's Official Plan review.

It is recommended that the County Official Plan Amendment allowing the County to participate in local CIP financial incentives (tax increment grants) relating only to large scale industrial investment be advanced at this time due to the recent announcement and potential for multiplier interest in feeder plants. For clarity, a tax increment grant affords an eligible property owner an annual rebate based on the increase in property tax arising from new development or re-development that generates an increase in the property's current value assessment.

Since the County has initiated the Official Plan review process, it is further proposed that this issue of matching tax increment grant funding be added to the list of topics to be included in the RFP for Phases 2 and 3 of the Official Plan review.

County Planning also recommends that a program guide should be developed to describe how the County will participate in local Community Improvement Plans and what levels of funding will be offered.

Financial Implications

The Outline of Services from Dillon Consulting to provide planning assistance to advance this project through the planning approvals is \$20,000 excluding applicable taxes. This initiative was not anticipated during the development of the 2022 Budget and therefore is an unbudgeted expenditure.

Coordination with and understanding of the Town of Tecumseh's CIP program is considered to be an important aspect of awarding this consulting work. Dillon Consulting was retained by the Town of Tecumseh and Administration recommends limited tendering (direct award) to Dillon Consulting in place of a competitive procurement.

In addition to third party consultant fees, adopting matching CIP policies will generate costs related to the value of the awarded tax increment grants and the cost to administer the program (review applications, calculate and pay grants on an annual basis and maintain records). Tecumseh's tax increment grant limits the tax rebate to 50% of the year over year increase in assessment and provides for a rebate for up to 10 years. The collection of a portion of the property tax growth will help to offset the majority of the cost of the program. The balance, if any, would need to be funded from other sources. It is difficult to estimate the net cost of the program until specific applications are made and processed. Tecumseh's CIP allows for a variety of qualifying large industrial development ranging in size from 125,000 square feet all the way up to an automotive assembly plant having approximately 1,500,000 square feet. An analysis of structure values suggests an average value per square foot of \$60 (based on 2016 CVA). The table below illustrates the possible range of tax increment grant costs on an annual basis for a single application.

Estimated Range of Annual Tax Increment Grant Cost (for a single application)

Square Footage	Large Industrial CVA Estimate (based on \$60/sqft)	Annual County Tax Levy (Using 2022 Large Industrial Tax Rate)	50% Tax Increment Rebate
125,000	\$7,500,000	\$100,076	\$50,038
1,500,000+	\$90,000,000	\$1,200,915	\$600,458+

NOTE: The top end of the range could exceed 1,500,000 sqft if the development is an automotive assembly plant. Chart is for illustration purposes only and Council has the option of discontinuing the program in the future should strategic development targets be achieved.

The 2022 Budget does not include funding for a matching CIP Policy Program. Should Council approve the advancement of matching CIPs, the 2023 Budget would include an estimate of the financial impact.

On an annual basis, County Council may wish to establish a funding cap as part of the budget setting process. Since the County's CIP Policy Program would be open to matching by all local municipalities within the County, the program would also need to establish the criteria for prioritizing eligible projects in the event requests exceed available funding.

The benefit of the County's participation in providing matching tax grant funding will position the County and local municipalities at a level playing field with single-tier municipalities including the City of Windsor and play a significant role in increasing the level of large industrial development in the County. As a region with primarily residential assessment, programs that encourage growth in other tax classes help to diversify our assessment base and strengthen our ability to weather economic challenges.

Consultations

- Town of Tecumseh Planning and Finance Departments

- Dillon Consulting
- County of Essex Official Plan Planning Advisor
- County of Essex Director of Financial Services/Treasurer

Recommendation

That County Council direct the Manager of Planning Services to initiate the planning process to undertake an Official Plan Amendment to modify the County's Official Plan regarding Community Improvement Plans and report back with further recommendations.

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,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

Appendix Number	Title
A	Correspondence from the Town of Tecumseh, Industrial CIP



The Corporation of the Town of Tecumseh

May 17, 2022

mbirch@countyofessex.ca

Ms. Mary Birch
Director, Legislative and Community Services /Clerk
County of Essex

Dear Ms. Birch:

Re: DS-2022-21 Industrial CIP, Recommendations for Statutory Public Meeting

The Corporation of the Town of Tecumseh, at its May 10, 2022 meeting, passed the following motion regarding an Industrial CIP and recommendations for a statutory public meeting:

That Report DS-2022-21 entitled “Proposed Industrial Community Improvement Plan - Recommendation for Statutory Public Meeting”, **be received;**

And that the scheduling of a public meeting, to be held on Tuesday, June 7, 2022 at 4:30 p.m., in accordance with the *Planning Act* for the purpose of seeking public and stakeholder input on a proposed Industrial Community Improvement Plan, **be authorized;**

And further that County Council **be requested** to initiate a process to amend the County Official Plan in order to incorporate revised Community Improvement Plan policies that would allow for the County to participate in grant programs of lower-tier Community Improvement Plans that have been adopted in accordance with Section 28 of the *Planning Act*.

The link to Report DS-2022-21 Industrial CIP, Recommendations for Statutory Public Meeting can be found [here](#). Arrangements have been made to hold the Public Meeting on **Tuesday, June 7, 2022 at 5:30 pm** (not 4:30 as noted in the resolution).

We would ask that County Council begin the process to amend the County Official Plan to allow the County to participate in grant programs of lower tier Community Improvement Plans (i.e. broadened CIP policies, support of lower tier grant programs).

Yours very truly,

Jennifer Alexander, DPA
Deputy Clerk & Manager Legislative Services

JA/sw

cc: Mr. Brian Hillman, Director Development Services (bhillman@tecumseh.ca)
Ms. Rebecca Belanger, Manager, Planning Services (rbelanger@countyofessex.ca)

From: [Brian Hillman](#)
To: [Rebecca Belanger](#)
Cc: [Margaret Misk-Evans](#); [Chad Jeffery](#)
Subject: County Proposed Official Plan Amendment to Incorporate Revised Industrial CIP Policies
Date: Wednesday, September 27, 2023 12:49:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Rebecca,

I'm writing to confirm that it is our respectful request that the above-noted draft County OPA proceed to County Council for consideration at the earliest opportunity in accordance with the provisions of the Planning Act. Considerable time and effort has gone into bringing this matter forward at the County level and there is value in bringing it to a conclusion in a timely manner. The proposed incorporation of CIP policies to allow the County to participate in matching grant programs of local municipalities Industrial CIPs is an important means of bring our region into a competitive framework with other regions. Given the time that has passed since the original request from Tecumseh (June 2022), we are hopeful that this matter may be brought to a favorable conclusion sooner than later.

With that being said, the Town would support the County if it were to initiate a process to expand its CIP policies to support other local municipal CIP incentives (e.g. affordable housing). However, I believe more work needs to be completed to fully consider the implications of such an expanded policy and therefore more time is required. The Town therefore requests that the current County OPA intended to incorporate supportive Industrial CIP policies into the County Official Plan proceed expeditiously to County Council for its consideration and that a separate process be initiated to consider a further amendment to the County Official Plan for other CIP incentivized initiatives (e.g. affordable housing, agricultural related business grant support etc.). Alternatively, and assuming the New County Official Plan process is advancing quickly enough, such expanded CIP policies could be considered through that process. We would support either process.

Thank you for your ongoing efforts on this important file. If you have any questions, please do not hesitate contacting me.

Regards,

Brian.

logo



Brian Hillman

Director Development Services

bhillman@tecumseh.ca

Town of Tecumseh - 917 Lesperance Rd. - Tecumseh, ON. - N8N 1W9

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September 21, 2023

Rebecca Belanger, MCIP, RPP
Manager, Planning Services
Corporation of the County of Essex
360 Fairview Avenue West
Essex, ON N8M 1Y6

Subject: Advancement of an OPA to the Community Improvement Policies – County Official Plan
Submission from IWE for Public Meeting Wednesday October 4, 2023

Dear Ms. Belanger,

Please accept this letter as confirmation that Invest WindsorEssex (IWE) fully supports the exploration and hopefully eventual adoption by Essex County Council of amendments to the County of Essex Official Plan to incorporate policies that would allow for the County to participate in grant programs of the County's seven (7) local municipalities that have Community Improvement Plans (CIP's).

Community Improvement Plans are extremely effective tools that allow municipalities to be more competitive in their efforts to attract investment and job growth by providing tax assistance, grants or loans to private property owners and tenants. Competition is fierce!

County participation to support the local municipalities that currently have, or are considering CIP programs will improve the overall level of incentives available to attract investment and create employment for county residents.

Our team at Invest WindsorEssex stands ready to work with your team, including any consultants that may be retained to assist in the development of this important program.

Sincerely,



C. Stephen MacKenzie
President and Chief Executive Officer



119 Chatham Street West, Unit 100
Windsor, Ontario, N9A 5M7



Phone: 519-255-9200
Toll Free: 1-888-255-9332



Email: info@investwindsoressex.com
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September 19, 2023

Rebecca Belanger

Manager, Planning Services

County of Essex

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360 Fairview Avenue West

Suite 311, Essex, ON N8M 1Y6

Dear Ms. Belanger:

RE: Application for Official Plan Amendment OPA-03 Entire County of Essex

Applicant: County of Essex

The County of Essex is proposing an Official Plan Amendment to support local municipalities with carrying out Community Improvement Plans.

Our office understands that a Community Improvement Plan (CIP) is a tool enabled through the *Planning Act* that allows municipalities to provide tax assistance, grants, or loans to private property owners and tenants to assist in the revitalization of lands and/or buildings within a defined Community Improvement Project Area. Under Section 29(7.2) of the *Planning Act*, the County can support local municipalities for the purpose of carrying out a CIP with grants and incentives, provided the Official Plan of the County of Essex contains such provisions. The County does not have the ability to establish its own CIP. Our office understands that the proposed Official Plan applies to the entire County of Essex. The following is provided as a result of our review of OPA-03.

**NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION
AUTHORITIES ACT, O. REG 686/21, PPS**

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the *Conservation Authorities Act*.

Our office has no objections to the County of Essex Official Plan Amendment 03. If you have any questions or require any additional information, please contact the undersigned.

Sincerely,

Alicia Good

Watershed Planner /ag

