

**Municipality Of Chatham-Kent**  
**Community Development**  
**Planning Services**

**To:** Mayor and Members of Council  
**From:** Bruce McAllister, MCIP, RPP  
Director, Planning Services  
**Date:** January 4, 2019  
**Subject:** Comprehensive Official Plan Review and 5-Year Official Plan Update

---

This report is for the information of Council.

**Background**

In 2005, Council adopted the first Official Plan for the Municipality of Chatham-Kent, which was formally approved by the Ministry of Municipal Affairs and Housing (MMAH) in 2008.



The Official Plan is Chatham-Kent's primary policy document and is a 20 year plan that is reviewed and monitored on an ongoing basis. The four components sustainability (health, economy, environment and culture) form the foundation of the Official Plan and directly align with the Areas of Strategic Focus outlined in CK Plan 2035, the Municipality's strategic plan. All planning decisions and municipal projects should conform to the policies of the Official Plan.

Under Section 26 of the *Planning Act*, municipalities are required to update and revise their Official Plans every 5 years to ensure that, at minimum:

- a) It conforms with provincial plans or does not conflict with them;
- b) Has regard to the matters of provincial interest listed in Section 2 of the *Planning Act*
- c) Is consistent with policy statements issued under subsection 3(1) of the *Planning Act*.

The Municipality began the process of its first Comprehensive Review and 5-year Official Plan update in 2012 and it was approved by MMAH in May 2015. Therefore, the process for the next 5-year update should begin in 2019.

There are various components and phases required to complete a Comprehensive Review and 5-year Official Plan update, which will include:

- 1) Comprehensive Review as defined under the Provincial Policy Statement (PPS). This involves addressing potential long-term residential and non-residential (employment, commercial, institutional) land needs and may involve urban boundary expansions, reductions or adjustments. Phase 1 is a technical analysis regarding long-term supply and demand that will build off the work completed in the last Comprehensive Review including a review of land absorption rates, building permit data and updated growth forecasts. Phase 2 will involve updated policy direction regarding the management of residential and non-residential lands.
- 2) A 5-Year Official Plan update addressing policies matters outlined in Section 26 of the *Planning Act*. The first step is to undertake a policy audit to identify gaps in compliance with the PPS and the *Planning Act*, based on new legislation and regulations introduced during the past five years. This will include matters such as, but not limited to:
  - a. Review and update of policies related to climate change, the environment and natural heritage;
  - b. Review and update of policies related to sourcewater protection;
  - c. Review and update of agricultural policies to be consistent with OMAFRA's Guideline on Permitted Used in Ontario's Prime Agricultural Areas;
  - d. Review and update of policies related to affordable housing; and

- e. Review and update of policies related to infrastructure, transportation and transit.

### **Comments**

During the last Official Plan update, the Comprehensive Review and 5-Year Review were combined as one process under Section 26 of the *Planning Act*. A Comprehensive Review can be initiated by a planning authority i.e. Council at any time under Section 21 of the Planning Act and does not need to be combined with the mandatory 5-Year Review. It is recommended this time around that the Comprehensive Review be initiated as a separate process from the 5-Year review for the reasons described below.

It is first important to understand what a Comprehensive Review means. In simple terms, a Comprehensive Review is a defined planning process that municipalities must follow when they want to consider expanding or altering their urban boundaries to accommodate future growth and development into areas that do not currently allow for development i.e. farmland that is not currently designated for growth. In doing so, municipalities must take a holistic approach when considering an expansion and review a number of factors:

- Is an expansion required to accommodate growth? Is the demand greater than the current supply of designated lands over the next 20 years based on updated population projections and growth forecasts?
- Are all lands currently designated for growth in the most strategic locations for development?
- How do we best capitalize on existing infrastructure to accommodate growth before having to invest in additional infrastructure?
- What are the potential impacts to prime agricultural lands and environmental features?

A couple of examples of the mapping outputs from the last Comprehensive Review are provided in Attachments 1 and 2.

Municipalities can only consider expanding their boundaries through a Comprehensive Review process. Specifically, a Comprehensive Review is defined as follows under the PPS:

- a. *for the purposes of policies 1.1.3.9 and 1.3.2.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:*
  1. *is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;*

2. *utilizes opportunities to accommodate projected growth through intensification and redevelopment and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;*
3. *is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;*
4. *confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;*
5. *confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2;*
6. *confirms that sewage and water services can be provided in accordance with policy 1.6.6; and,*
7. *considers cross-jurisdictional issues.*

Section 1.1.3.9 of the PPS states the following:

*A planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that:*

- a. *sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;*
- b. *the infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;*
- c. *in prime agricultural areas:*
  1. *the lands do not compromise specialty crop areas*
  2. *alternative locations have been evaluated, and*
    - i. *there are no reasonable alternative which avoid prime agricultural areas; and*
    - ii. *there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas*
- d. *the new or expanding settlement area is in compliance with the minimum distance separation formulae; and*
- e. *impacts from new and expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.*

Section 1.1.3.9 of the PPS states the following:

*Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.*

*Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.*

*Nothing in policy 1.1.2 limits the planning for infrastructure and public service facilities beyond a 20-year time horizon.*

Section 1.3.2 of the PPS states the following:

### *1.3.2 Employment Areas*

*1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.*

*1.3.2.2 Planning authorities may permit conversion of lands within employment areas 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.*

*1.3.2.3 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.*

*1.3.2.4 Planning authorities may plan beyond 20 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon identified in policy 1.1.2.*

As noted above, there are a number of considerations that must be taken into consideration when evaluating the inclusion of new lands to accommodate future growth. During the last Official Plan update, it was the first time that Chatham-Kent undertook a detailed Comprehensive Review and technical analysis regarding its long-term land supply and demand for residential and non-residential lands. Key findings of the last review in 2012 concluded:

- *For the Municipality's Primary Urban Centres (Chatham, Wallaceburg, Blenheim, Tilbury, Ridgetown, Wheatley, Dresden) residential supply is more than sufficient to accommodate forecast demand. As of 2031, a net surplus of 862 gross ha (2,130 gross acres) has been identified.*
- *While the Municipality has a significant over-supply of urban residential land, long-term land needs vary throughout the Municipality's Primary and Secondary Urban Centres.*
- *For the Primary Urban Centres, urban residential land needs range from a low of 47 years in Chatham to a high of 110 years in Wallaceburg, based on a 10-year demand analysis.*
- *Throughout Chatham-Kent's Secondary Urban Centres (Thamesville, Charing Cross, Merlin, Mitchell's Bay, Bothwell and Pain Court), residential land supply is*

*largely constrained to infill development on lots which are less than 0.4 ha (1 acre) in size. This limits market choice and restricts multi-unit development proposals on both Greenfield lands and built-up areas.*

- *Outside Chatham-Kent's Primary and Secondary Urban Centres, there are a number of rural areas including hamlets, suburban, recreational and estate residential areas which continue to experience moderate levels of growth pressure. While some supply opportunities exist within these rural settlement areas to accommodate housing demand, policies are required to help guide the amount and type of future residential development that these areas can, and should accommodate.*
- *There are significant mismatches in supply and demand between each of the Municipality's key industrial growth areas. Each of Chatham-Kent's industrial areas attract different industrial markets given their location, access, character, proximity to labour, surrounding land uses, proximity to urban amenities, land prices, permitted uses and proximity to surrounding employment markets and related employment clusters.*
- *Based on available local industrial supply opportunities, a total of 40 gross ha (99 gross acres) of additional industrial lands are required in the municipality to accommodate forecast demand for industrial land over the next 20 years.*
- *Demand for commercial lands needs is forecast to be minimal outside the Chatham Urban Centre given the nominal levels of population growth forecast across the remaining Primary and Secondary Urban Centres.*
- *A total commercial land surplus of approximately 18 ha (45 acres) by 2031 has been forecast for the Chatham Urban Centre.*

In undertaking the next Comprehensive Review, there are 3 phases required:

Phase 1 - is a technical analysis regarding long-term supply and demand and will build off the work completed in the last Comprehensive Review. This Phase 1 report will include the following:

- A review and analysis of the current residential and non-residential land supply based on building permit data and land absorption rates over the last 5 years.
- A revised population, housing and employment growth forecast using the most recent statistical data.
- A review and analysis of actual land needs based on the updated growth forecasts.

This phase will require external assistance.

Phase 2 – based on the findings of Phase 1, Phase 2 will specifically look at growth options and will provide updated policy direction regarding the management of residential and non-residential lands, including the potential for the reallocation of current vacant urban designated lands in areas of low growth demand to areas of higher demand and full municipal services. A key component of this will be a review of the impact to the Municipality's infrastructure and public service facilities. Since the last Comprehensive Review was undertaken, there has been considerable work done on asset management and infrastructure planning, so there is a much better understanding on the current state of Chatham-Kent's infrastructure. Stakeholder consultation will be undertaken as part of this phase. Phase 2 will be completed with internal resources and will require critical input from various departments.

Phase 3 – based on the results of Phases 1 and 2, Phase 3 will involve an amendment to the Official Plan and Zoning By-law to implement the Comprehensive Review. Phase 3 will be completed with internal resources.

As noted, it is proposed that the Comprehensive Review move forward in 2019 as a separate process from the 5-Year Official Plan Review. There are a few key reasons for this:

- There is a critical need to review the Municipality's Employment Land Supply situation i.e. lands available for industrial purposes.
- As part of the settlement terms of an Ontario Municipal Board hearing regarding a residential boundary expansion from the last Comprehensive Review, the Municipality acknowledged it would begin the next Comprehensive Review in 2019 and would review and consider the appellant's lands in the process.
- 5-Year Review under Section 26 – there are a number of foundational studies or actions currently taking place that will guide future policy direction in the next 5-Year update, which require additional time to be completed. Some of these include:
  - The Adapting to the Future Storm and Ice Regime in the Great Lakes Study/Chatham-Kent Lake Erie Shoreline Study - This study will be substantially complete by the end of 2019 and must be submitted to the federal government by March 2020. The recommendations will also inform future Official Plan policies.
  - Transportation Master Plan (TMP) and Traffic Calming Policy (TCP) – This will also inform future policy updates in the Official Plan and it is anticipated it will be completed in the fall of 2019.
  - Updates to the Thames-Sydenham and Region (TSR) Source Protection Plan and Assessment Reports – the TSR will be updated in 2019 to meet the 5-year requirement to review the plan. Any changes will need to be reflected in the Official Plan.

- Affordable Housing Development Policies Project – this project was recently initiated to propose policy recommendations to encourage both private for profit and/or private non-profit proponents to and developers to create new affordable housing within the Municipality. This is anticipated to be completed in 2019 and will likely include Official Plan policy recommendations.
- 5-Year Review and update of the Housing Study/Homelessness Plan – scheduled to be completed in 2019 and will likely include Official Plan policy recommendations.
- Climate Change – since the last Official Plan review, the Municipality has completed a Community Energy Plan and GHG inventory in 2016. In addition, the Shoreline Study is also a Climate Change project that will provide adaptation recommendations. However, the Ontario Government just released a new plan entitled the “Preserving and Protecting our Environment for Future Generations, A Made-in-Ontario Environment Plan” that will need to be reviewed and policy updates to the Official Plan will be necessary to align with this plan.
- At the time of writing, the Provincial government had just begun a broad consultation on housing and will also be focusing on potential changes to the *Planning Act*, PPS and the Building Code, which could ultimately lead to further legislative changes. Therefore, it would be wise to wait and see what transpires at the Provincial level before proceeding with the 5-Year Official Plan Review.

<b>Proposed Schedule for Comprehensive Review and 5-Year Review</b>	
<b>Comprehensive Review</b>	<b>Proposed Schedule</b>
Phase 1 – Technical Analysis	February - August 2019
Phase 2 – Policy review	May - December 2019
Phase 3 – Official Plan and Zoning By-law Amendments	December - March 2020
<b>Official Plan 5-Year Review</b>	Begin formal process in March 2020

### **Consultation**

No other departments were consulted on this report.

**Financial Implications**

A supplement budget request of \$100,000 has been included in the 2019 budget.

Prepared by:

Reviewed by:



---

Bruce McAllister, MCIP, RPP  
Director Planning Services

---

John Norton  
General Manager,  
Community Development

Attachments: Attachment 1 – Example of Residential Land Supply Map from Last Comprehensive Review  
Attachment 2 – Example of Non-Residential Land Supply Map from Last Comprehensive Review

P:\RTC\Community Development\2019\Planning Services\Jan 21-19 Comprehensive Official Plan Review Report.docx

**ATTACHMENT 1 – EXAMPLE OF RESIDENTIAL LAND SUPPLY MAP FROM LAST COMPREHENSIVE REVIEW**



**ATTACHMENT 2 – EXAMPLE OF NON-RESIDENTIAL LAND SUPPLY MAP FROM LAST COMPREHENSIVE REVIEW**

