

**Looking Back,
Moving Forward...
Advancing Windsor's Vision
Official Plan 5 Year Review**

FINAL

**LOOKING BACK
SUMMARY REPORT:
LEGISLATION**

January 2007



in collaboration with
Next Ideas Inc.
EDP Consulting
Lapointe Consulting

Executive Summary

Windsor’s Official Plan Update project is framed around the theme of, “Looking Back, Moving Forward, Advancing Windsor’s Vision.” The Looking Back phase of the work is characterized by a series of research and analysis that is intended to identify, describe and discuss the existing conditions, trends, and known challenges that face the City. This report presents a review of the legislative framework for the City of Windsor to seek ways of addressing the future planning needs of Windsor and to identify the Provincial requirements for the updated Official Plan. The resulting discussion of issues will lead to policies in the Official Plan which will be supportive of a sustainable city-building for Windsor.

The following information was collected for this Looking Back Summary Report:

- Windsor Community Strategic Plan
- Bill 51, the Planning and Conservation Land Statute Law Amendment Act
- Strong Communities (Planning Amendment) Act;
- Provincial Policy Statement; and,
- Windsor Official Plan.

Generally, it was found that the majority of changes needed for the Official Plan are those which arise from the new Province-led planning system and the requirement for Windsor to “be consistent with” this framework. This is fully detailed in the Policy Audit (included in Appendix ‘A’).

A summary of issues identified through the review of the PPS, legislation, and other background reports is identified in the table below (refer to Section 3 of the report for a full discussion of each policy issue). The table also identifies the key points to be addressed through the Official Plan Update.

Reference should be made to the other Looking Back Summary Reports where the PPS policy gaps are grouped by topic (e.g. built form, environment, economic development, etc.) and where their implications to the Official Plan are fully discussed.

Summary of Issues and Policy Gaps		
Issue	Specific Concern / Policy Gap	Key Points to be Addressed Through Official Plan Update
PPS Section 1 – Building Strong Communities	a. Intensification	In-depth analysis of intensification needed to support the Official Plan Update; OP to include targets for intensification; OP to co-ordinate phasing of intensification and greenfield development

Issue	Specific Concern / Policy Gap	Key Points to be Addressed Through Official Plan Update
	b. Urban Area Expansions	OP to recognize that expansions are only permitted through comprehensive review; OP to outline extensive studies for the comprehensive review; OP to include criteria for justifying a settlement area expansion
	c. Conversion of Employment Lands	OP to recognize that conversion of employment lands requires extensive studies, and to identify the studies
	d. Population and Employment Projections	Analysis of population, housing, affordable housing, etc., is need to support update; OP to include targets for affordable housing
	e. Sewage and Water Services	OP to ensure land use and infrastructure planning is co-ordinated; policies to require sufficient capacity in servicing system before development is approved
	f. Long-term Economic Prosperity	OP to include breadth of policies for economic prosperity
	g. Energy facilities	OP to permit as-of-right alternative energy and renewable energy in urban area
PPS Section 2 – Wise Use and Management of Resources	a. Natural Heritage	OP policies to protect ecological function and biodiversity; policies to address site alteration (fish habitat); policies to be strengthened for “no negative impact; stronger policies addressing development setbacks; policies addressing water and groundwater protection
	b. Agriculture	If needed as interim measure for Annexed Lands, policies for agricultural land use permission in environmental areas
	c. Resources	OP policies to address full scope of PPS requirements for resource extraction
PPS Section 3 – Public Health and Safety	a. Natural Hazards	OP policies to be updated to address floodplain planning requirements
	b. Human-made Hazards	OP policies to address development of lands adjacent to full-range of known or potential hazards
Bill 51	a. Consistency with the PPS	OP to include policy objective that plan is to be consistent with PPS.
	b. Establishment of a Local Appeal Body	OP may include policies that a future local appeal body must make decisions based on planning merits and consistent with CSP, OP, and PPS.
	c. Requirements for Updates to Official Plans	OP to include policies that five-year updates will address all provincial plans (if any), provincial interest, PPS, and employment lands.
	d. Criteria need for justifying settlement area expansion	OP to include policies addressing land supply, natural environment, community service facilities, parks, infrastructure, fiscal impact, etc., as criteria for evaluating settlement area expansions
	e. Open house requirements	OP to include policy regarding open house to be held in advance of a statutory public meeting for OP updates and Zoning amendments.

Issue	Specific Concern / Policy Gap	Key Points to be Addressed Through Official Plan Update
	f. Required zoning update in three years	OP to include policy that zoning will be updated within three years of any future OP five-year update
	g. Statutory pre-consultation requirements	OP to include policy regarding pre-consultation for Zoning, Site Plan and Subdivision applications; if appropriate, the City would have to pass a by-law making pre-consultation mandatory
	h. Additional information requirements for development applications	OP to state the range of studies needed to support OP Amendment, Zoning, Plan of Subdivision, and Consent applications
	i. New definition of community improvement	OP policies to be updated to reflect new <i>Planning Act</i> definition of “community improvement” which includes all types of development redevelopment, energy efficiency and affordable housing
	j. Eligible costs for community improvement programs	OP policies to be updated to ensure that CIP’s clearly state what improvements are eligible for grants or loans
	k. Expanded Scope for CIP’s	Participation in upper-tier CIP’s is not an issue since Windsor is a single-tier municipality
	l. Conservation Easements for Water and Watershed Protection	OP to include policies for conservation easements to protect water quality, quantity, and watersheds.
	m. Statutory value of lands established for school sites	OP to update Plan of Subdivision policies to ensure that value of school sites is determined based on the day before draft approval is issued; OP to direct that the valuation will be a condition of approval for Plans of Subdivision

The next step in the process will be to consolidate all the issues into a single *Issues Synthesis Discussion Report*. This will complete the Looking Back phase of the work. The City will then proceed with the Moving Forward phase of work (aligning the City’s approach to addressing the issues with the Community Strategic Plan, stakeholder consultation, and documenting specific changes to the City’s Official Plan). Through the last stage, the Advancing Vision phase of work, the revised Official Plan will be prepared for Council adoption and approval by the Ministry of Municipal Affairs and Housing, with additional public consultation contemplated.

Table of Contents

Executive Summary	i
1.0 Introduction	1
1.1 Official Plan Update	1
1.2 Official Plan “Looking Back Summary Reports”	1
1.3 About the Legislation Looking Back Summary Report	2
2.0 Summary of Relevant Background Information	4
2.1 Linkages	4
2.2 Windsor Community Strategic Plan	5
2.3 Recent Amendments to the <i>Planning Act</i> through Bill 51	6
2.4 Amendments to the <i>Planning Act</i> through the <i>Strong Communities (Planning Amendment) Act</i>	7
2.5 Provincial Policy Statement.....	7
2.6 Windsor Official Plan.....	8
3.0 Issues Analysis and Policy Gaps	10
3.1 Issues and Policy Gaps for PPS Policy 1 – Building Strong Communities.....	10
3.2 Issues and Policy Gaps for PPS Policy 2 - Wise Use and Management of Resources...	12
3.3 Issues and Policy Gaps for PPS Policy 3 - Public Health and Safety	13
3.4 Discussion of Policy Issues / Gaps from Bill 51.....	13
3.5 Summary of Issues and Policy Gaps.....	17
4.0 Next Steps and Conclusions	19
List of References	20

Appendix ‘A’: Policy Audit of the Windsor Official Plan

List of Tables

Table 3-1: Summary of Issues and Policy Gaps

1.0 Introduction

The City of Windsor is at a critical crossroads in planning or its future. The economy is changing. The environment is changing. The people are changing. The shape of development is changing. With change comes a degree of uncertainty but also, and more importantly, opportunity.

1.1 Official Plan Update

As the City changes, so must its Official Plan, which is the primary document for managing change and guiding growth. The policies of the Official Plan direct the use of land, establish a framework for orderly development, stimulate revitalization, promote economic development, encourage efficient transportation and ensure a healthy environment, all in order to provide a high quality of life for current and future members of the Windsor community.

Since the adoption of the last Official Plan, the Province of Ontario has issued a new *Provincial Policy Statement* for land use planning and the City has initiated the updating of its Strategic Plan. The Province has also amended the *Planning Act* twice, through the *Strong Communities (Planning Amendment) Act* and the *Planning and Conservation Land Statute Law Amendment Act*. These will be the key drivers for change in the City's Official Plan; however, major trends and current challenges of local significance will be considered, which will also help update the Official Plan. The Official Plan must also have regard for and integrate the work of other major exercises, such as the Environmental Master Plan, Transit Master Plan, Long-Range Transportation Plan, and Annexed Area Master Plan.

1.2 Official Plan “Looking Back Summary Reports”

Windsor's Official Plan Update project is framed around the theme of, “Looking Back, Moving Forward, Advancing Windsor's Vision.”

The Looking Back phase of the work is characterized by a series of research and analysis that is intended to identify, describe and discuss the existing conditions, trends, and known challenges that face the City. This information is available chiefly through a variety of previous studies and a review of recent legislative changes, but will also be supplemented by discussions with stakeholders, statistical analysis, and field surveys, as needed.

The Looking Back phase of the work has been designed to culminate with the release of a series of reports covering key topics related to the current situation of the City of Windsor, the changes to which it must respond immediately, and longer term trends which must be addressed through planning. The preparation of each report has been undertaken by a team comprising both consultants and City representatives, focussed on their topic. The topics and related reports are:

- *Looking Back Report – Legislation*, discusses the legislative changes by the Province, and addresses those broad legislative changes which are not specific to the individual topics listed here;
- *Looking Back Report – Social Conditions*, discusses demographics and social trends;
- *Looking Back Report – Economic Conditions*, discusses economic changes and trends, both locally and globally;
- *Looking Back Report – Environment*, discusses the natural environment, environmental stewardship and conservation;
- *Looking Back Report – Built Form*, discusses existing development, already planned development, and future development which requires planning;
- *Looking Back Report – Infrastructure*, discusses servicing needs and requirements from a policy perspective; and,
- *Looking Back Report – Transportation*, discusses automobile, pedestrian, cycling, and transit modes of travel, as well as the needs of the airport.

More about this specific Looking Back Summary Report is provided in Subsection 1.3 below.

Following the completion of the Looking Back phase of work, the City will proceed with the Moving Forward and Advancing Vision phases of work. These following phases of work include documenting specific changes to the City's Official Plan, public consultation, and preparing the revised Official Plan for Council adoption and approval by the Ministry of Municipal Affairs and Housing.

1.3 About the Legislation Looking Back Summary Report

Legislation has influenced land use planning for many years. Over the last several years, there have been significant changes to land use planning related legislation in the Province, including two amendments to the Planning Act, the new Provincial Policy Statement (2005), Places to Grow Act (June 2005), and updates to the Municipal Act (2001). Legislation can be enabling,

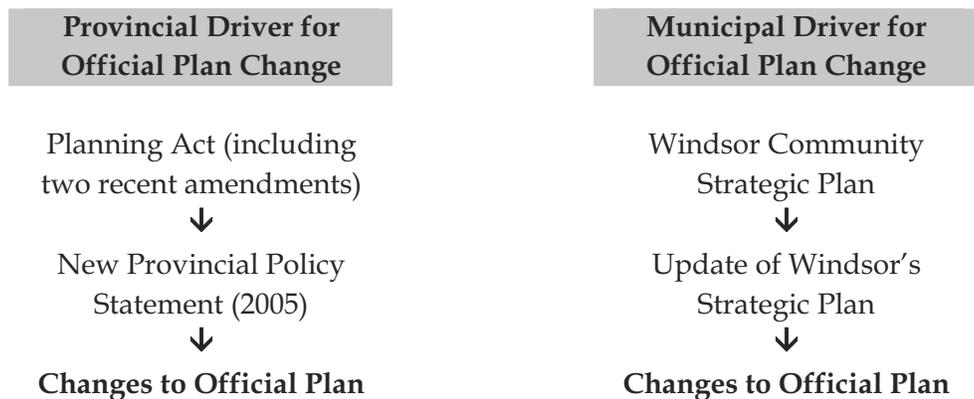
which means that it grants power to the City to undertake certain activities or allows the City to act in certain capacities. Legislation can also be directive, which means that it requires that the City follow certain processes or procedures. The City must understand the legislative changes which influence the Official Plan and municipal planning matters. It must consider what new powers, if any, it should exercise and how to do so. It must also consider any new or revised requirements for planning process that need to be addressed through planning policy.

2.0 Summary of Relevant Background Information

This section of the report comprises a review of relevant background information for this Looking Back Summary Report. A summary of each background document is provided and a list of key points is provided. This list of key points forms the basis for discussion of changes since the Official Plan was adopted, framed around issues and related policy gaps (see Section 3).

2.1 Linkages

There are two streams of key drivers for change which impact the Official Plan and both have a bearing on the nature of updates which will be contemplated for the Official Plan update. There is a substantial Provincial driver for change and a substantial municipal driver for change, the Planning Act / Provincial Policy Statement and Windsor Community Strategic Plan, respectively. This relationship is illustrated in the diagram below.



The following information was collected for this Looking Back Summary Report:

- Windsor Community Strategic Plan
- Bill 51, the Planning and Conservation Land Statute Law Amendment Act
- Strong Communities (Planning Amendment) Act;
- Provincial Policy Statement; and,
- Windsor Official Plan.

The above are summarized and discussed in the following subsections of this report.

2.2 Windsor Community Strategic Plan

City Council has initiated a series of actions aimed at reviewing and updating the City's Community Strategic Plan (CSP). Council originally adopted the CSP in 1996 to plan for the future of the community. It established a community vision for the future along with objectives and actions for the City to follow in realizing this future. The City's commitment to the community vision was reflected in the strategic themes and corporate mission statement.

Council has agreed that a CSP remains a valuable tool to assist with informed decisions on the strategic issues facing the City in the future and has authorized the plan to be updated to coincide with the beginning of the 2006-2010 term of Council.

The formal review and updating of the CSP was authorized by City Council in June 2005. At that time, Council directed that the work program be incorporated into the five-year review of Windsor's Official Plan. In December 2005, the organizational review for the Official Plan project was approved including the theme *Looking Back, Moving Forward: Advancing Windsor's Vision*. Early in 2006, as part of the "Looking Back" phase of the review, City Council, senior staff members and community leaders attended workshops to review the CSP.

Three separate workshops (two in February and one in March) were conducted to gather comment on the 1996 Community Strategic Plan. At each session, participants were asked to identify key challenges facing Windsor that required the proactive planning of a CSP.

The proposed 2006 Community Strategic Plan vision and mission statement are, respectively:

***Vision** - Windsor – Dream, Dare, Do: Windsor is a desirable city full of history and potential, with a diverse culture, a durable economy, and a healthy environment, where citizens share a strong sense of belonging and a collective pride of place.*

***Mission** - Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together.*

It should be noted that the Community Strategic Plan is not legislation; it does not enable the City to undertake actions which it did not already have the power to undertake. While it does direct the City on aspects of fiscal responsibility, accountable municipal services, partnerships, public engagement, administrative talent and political leadership, these matters (as they relate to growth management and urban planning) are prescribed through the Provincial Policy

Statement. A discussion of the relevant Provincial Policy Statement matters is provided in subsection 2.4 of this report.

2.3 Recent Amendments to the *Planning Act* through Bill 51

Bill 51, the *Planning and Conservation Land Statute Law Amendment Act*, received Royal Assent on October 19, 2006. There are numerous amendments to the *Planning Act*. Most of these modify aspects of the land use planning process, provide additional tools for implementation of provincial policies and give further support to sustainable development, intensification and brownfield redevelopment. Some technical and housekeeping amendments are also included, as well as consequential amendments to the *Greenbelt Act*, 2005 and the *Municipal Act*, 2001.

Changes to the *Planning Act* through Bill 51 relevant to this report include:

- Municipal planning decisions must be consistent with the Provincial Policy Statement (and provincial plans, if in existence);
- Municipalities that meet the minimum requirements will have power to establish local appeal bodies that would deal with certain planning matters instead of the Ontario Municipal Board;
- The Act has been strengthened regarding the requirement to update official plans with respect to provincial plans, matters of provincial interest, provincial policy statements and designated areas of employment;
- Criteria needed for a comprehensive review justifying a settlement area expansion;
- Open house requirement for Official Plan updates and Zoning By-law Amendments;
- Requirement for zoning to be updated within three years of Official Plan update;
- Statutory pre-consultation for Zoning By-law Amendment, Site Plan and Plan of Subdivision approvals;
- Additional information to be provided for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and Consent applications have to be addressed in Official Plan;
- The definition of community improvement is clarified and broadened;
- Eligible costs for community improvement programs are identified;
- The scope of community improvement plans is expanded and upper-tier municipalities are permitted to establish community improvement plans for limited purposes and municipalities at each level may participate financially in the other level's community improvement plan;

- The purposes for which conservation easements and covenants may be established under the Conservation Land Act are expanded to include protection of water quality and quantity, watershed protection and management, and further purposes that may be added by provincial regulation; and,
- Statutory value of lands established for school sites.

2.4 Amendments to the *Planning Act* through the *Strong Communities (Planning Amendment) Act*

Bill 26, the *Strong Communities (Planning Amendment) Act*, received Royal Assent on November 30, 2004. The Act requires that decisions, comments, submissions and advice for municipal planning matters must be “consistent with” policy statements issued by the Minister. This is a strengthening of the previous requirement to “have regard to” Minister’s policy statements. The other changes to the *Planning Act* arising from the *Strong Communities (Planning Amendment) Act* are technical in nature (i.e., addressing matters of appeal, timelines, etc.) and are outlined in the Looking Back Summary Report – Legislation, available under separate cover. It should be noted, however, that many of the matters empowered by the *Strong Communities (Planning Amendment) Act* are implemented through the Provincial Policy Statement and the new requirement for municipalities to “be consistent with” the PPS. As a result, the key issues arising from the *Strong Communities (Planning Amendment) Act* which relate to the Windsor Official Plan emerge in the discussion of the Provincial Policy Statement, below.

2.5 Provincial Policy Statement

In 2004, the Provincial Government introduced its Vision for Ontario’s Land Use Planning System: to maintain strong communities, a clean and healthy environment and a strong economy to ensure the long term prosperity and social well being of Ontarians. To achieve that vision, the Provincial Government made changes to the *Planning Act* through the *Strong Communities (Planning Amendment) Act, 2004*. The *Planning Act*, as amended, requires that all decisions affecting land use planning matters “shall be consistent with” the *Provincial Policy Statement (2005)*.

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning

system, the PPS sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for the citizens of Ontario.

The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The policies of the PPS are complemented by, among other things, municipal official plans. As a result, the PPS and the City of Windsor Official Plan together provide a framework for comprehensive, integrated and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

As part of the background analysis, Dillon conducted a Policy Audit to assess the level of “consistency” of the existing Official Plan with the PPS (refer to *Policy Audit of the Official Plan*, available in Appendix ‘A’ to this report).

It should first be noted that the Official Plan is generally consistent with the new Provincial Policy Statement and that the Official Plan framework is sound. The policy gaps which exist arise from the new PPS requirements. There are some policy-specific consistency issues and some need for policy updating and/or harmonization of terms.

It should next be noted that the majority of policy gaps identified in the Policy Audit are specific to the topics of other Looking Back Summary Report topics (e.g. built form, environment, etc.) However, for completeness, a summary list of the gaps is provided in Section 3 of this report.

2.6 Windsor Official Plan

The City of Windsor Official Plan was originally adopted by Council in November 1999 and approved in part by the Province in March 2000; the remainder was approved by an Ontario Municipal Board decision on November 1, 2002. The City has recently annexed lands from Tecumseh (former Township of Sandwich South) on January 1, 2003 to provide for its growth needs. The Official Plan of the former Sandwich South currently applies to these lands (it is recognized that the City has prepared a Master Plan for the development of the annexed lands).

The Official Plan was evaluated through the Policy Audit noted in Section 2.4 above. Generally, it was found that the majority of changes needed for the Official Plan are those which arise from the new Province-led planning system and the requirement for Windsor to “be consistent with” this framework.

3.0 Issues Analysis and Policy Gaps

This section of the report summarizes the issues from the Policy Audit (included in Appendix 'A'). The issues from the review of Bill 51 are also reviewed in this section of the report. Each issue represents a policy gap in the Official Plan which needs to be addressed through the Official Plan Update project.

Reference should be made to the other Looking Back Summary Reports where the PPS policy gaps are grouped by topic (e.g. built form, environment, economic development, etc.) and where their implications to the Official Plan are fully discussed.

The changes required to the Official Plan to address specific policies in the Provincial Policy Statement and requirements of Bill 51 are presented in the following subsections. An overview of the issues and the resulting policy gaps are summarized in *Table 3-1: Summary of Issues and Policy Gaps*.

3.1 Issues and Policy Gaps for PPS Policy 1 – Building Strong Communities

a) Intensification

- The 20 year land supply analysis must include a more in-depth assessment of intensification as a pre-condition to permitting an urban area expansion.
- The intensification assessment must be based on “ground-up” analysis of physical potential in the built up areas of the City.
- Minimum targets for intensification must be provided in the Official Plan.
- Provision must be made in the Official Plan for the coordinated phasing of development of intensification areas and designated greenfield lands.

b) Urban Area Expansions

- Urban area expansions can only occur at the time of a comprehensive Official Plan Review.

- Proposals for urban area expansions require extensive planning justification including the provision of appropriate technical support analysis.
 - The Official Plan must make provision for the coordinated phasing of intensification areas and greenfield lands that are being proposed for an urban development designation.
- c) Conversion of Employment Lands
- A comprehensive planning review is required to justify conversion of employment lands to non-employment uses.
 - Extensive planning justification including appropriate technical analysis is required to support proposed conversion of employment lands to non-employment uses.
- d) Population and Employment Projections
- The Official Plan must include 20 year population, housing and employment (industrial, commercial, institutional) projections.
 - The Official Plan must include 20 year land supply requirements for population and employment (industrial, commercial, institutional).
 - The Official Plan must include targets for affordable housing (low and moderate income households).
- e) Sewage and Water Services
- Land use and infrastructure planning must be integrated in the growth planning process, i.e., the Official Plan Review.
 - Confirmation of reserve sewage and water capacity must be a pre-condition of development approval.
 - Hauled sewage needs to be included in the calculation of reserve sewage treatment capacity.

f) Long-Term Economic Prosperity

- The Official Plan must include the breadth of policies for long-term economic prosperity.

g) Energy Facilities

- The Official Plan must permit as-of-right alternative energy and renewable energy facilities in the urban area.

3.2 Issues and Policy Gaps for PPS Policy 2 - Wise Use and Management of Resources

a) Natural Heritage

- The Official Plan must address protection of ecological function and biodiversity of the natural heritage system.
- The Official Plan must address development and site alteration (fish habitat)
- The Official Plan's policies related to natural features which must be protected from development need to be strengthened, and address "no negative impact" and development setbacks.
- The Official Plan needs to address water quality and quantity, and groundwater protection.
- The Official Plan has some consistency issues with the Provincial Policy Statement

b) Agriculture

- There is a need to update the Official Plan to address PPS requirements related to agriculture land uses, but only as an interim measure for lands formerly of Sandwich South which have been annexed for future urban development.

c) Resources

- There is a need to update the Official Plan to address the full scope of PPS requirements related to resource extraction.

3.3 Issues and Policy Gaps for PPS Policy 3 - Public Health and Safety

a) Natural Hazards

- There is a need to update the floodplain policies (i.e., uses not permitted, conditions for permitting development, Special Policy Area concept for floodplains)

b) Human-made Hazards

- The Official Plan must address development of lands adjacent to the full range of known or potential human-made hazards.

3.4 Discussion of Policy Issues / Gaps from Bill 51

a. Consistency with the PPS

An important legislative change is the requirement for municipalities to be “consistent with” the PPS in their planning decisions. This is a much stronger requirement than the previous requirement for municipalities to “have regard” for the PPS. Although no provincial land use or growth plans are currently contemplated for the Windsor-Essex area, the city would have to be consistent with any future provincial plan. The Official Plan should make reference to the Provincial Policy statement and include policies regarding consistency with the province-led planning framework.

b. Establishment of a Local Appeal Body

Although the Province has not yet established the eligibility criteria, municipalities meeting the criteria will have power to establish local appeal bodies to deal with certain planning matters instead of the Ontario Municipal Board. Since a local appeal body in Windsor would make

reference to the Official Plan, it is important that the Official Plan present a strong vision and defensible planning framework for the future. A local appeal body for Windsor would be established through a by-law, however, the City may consider including policies in the Official Plan regarding the general duties of a local appeal body (i.e., to make decisions on planning merits, to uphold the public interest in planning decisions, and to be consistent with the Community Strategic Plan, Official Plan and the PPS) as an interim measure.

c. Requirements for Updates to Official Plans

Official Plans are written with a 20-year horizon for the future but must be updated every five years as required by the *Planning Act*. This ensures that the long-term vision of the plan can be achieved through appropriate intervals for monitoring and adjustment to the Official Plan. Recent changes to the planning system in Ontario now place emphasis on consistency with Province-led planning. The Official Plan needs to include policies reflecting the requirement for five-year updates to address / incorporate provincial plans, matters of provincial interest, the PPS and designated areas of employment.

d. Criteria needed for justifying settlement area expansion

The City must identify the criteria it will use to justify a settlement area expansion. The criteria are usually broad and intended to ensure that growth is being managed, and any new development helps create complete neighbourhoods. Usually these criteria involve a review of existing development applications and available lands for development (including lands for intensification), in order to justify warranted greenfield lands, but also includes consideration of natural environment areas, community service facilities, parks / open space requirements, infrastructure needs and economic impacts.

e. Open house requirements

Bill 51 requires that an Open House session be conducted before the statutory Public Meeting for Official Plan updates and Zoning By-law updates. The Official Plan should reflect this requirement in its policies for public consultation.

f. Required zoning update in three years

In order to ensure that the zoning by-law remains a viable tool to implement the Official Plan, Bill 51 now mandates that zoning by-laws be updated within three years of an Official Plan update. The Official Plan should include a policy recognizing this new requirement. The City will also need to undertake a Zoning By-law update as a follow-up to the Official Plan project.

g. Statutory pre-consultation requirements

Pre-consultation is an important step in the development approvals process since it helps to identify issues and concerns which need to be addressed in future development applications. Bill 51 now indicates that municipalities may conduct pre-consultation for development applications and furthermore indicates that municipalities can make pre-consultation for development applications mandatory. At minimum, the Official Plan should make reference to the pre-consultation meeting. If the City believes it is appropriate then it will have to pass a by-law requiring pre-consultation for Zoning By-law Amendment, Site Plan, and Plan of Subdivision approvals.

h. Additional information requirements for development applications

Good planning is a result of an analysis and evaluation of complex interrelationships. In order to support good planning, municipalities require a wide range of studies to accompany the application form, fee, and drawings submitted for many development approvals. The ability for municipalities to require these studies (and also to deem the application incomplete until these studies are received) is now addressed through Bill 51. However, to implement this, the municipality has to state the range of studies in the Official Plan. The OP needs to identify the range of additional information or studies to support Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and Consent applications.

i. New definition of community improvement

In order to encourage strong communities, the concept of “community improvement” has been clarified and broadened by the Province. Previously, community improvement was typically applicable only to redevelopment or minor development within existing built-up areas. Given the emphasis that community improvement must play in stimulating intensification, brownfield revitalization, energy efficiency, and affordable housing, the definition of community improvement has been revised to address these matters and encourage both development and redevelopment. The Official Plan policies for community improvement need to be updated to reflect the new definition.

j. Eligible costs for community improvement programs

Bill 51 incorporates an important change regarding eligible improvements. Now, community improvement plans need to clearly state what improvements are eligible for grants or loans. This is a useful change because it allows the municipality to tailor the community improvement

plan and programs to meet the needs of the lands/buildings. The Windsor Official Plan should update the community improvement plan policies to reflect the eligibility requirement.

k. Expanded Scope for Community Improvement Plans

Community Improvement Plans are powerful tools for municipalities to stimulate many kinds of revitalization and regeneration activities. Under Bill 51, the permission for upper-tier and lower-tier partnership in community improvement plans has been granted. However, given that Windsor is a separated city and not sub-ordinate to Essex County, these addition powers do not impact Windsor and no change to the Official Plan is likely needed.

l. Conservation Easements for Water and Watershed Protection

A conservation easement is an instrument used, by registering it on title to a property, to ensure the long-term preservation or protection of the lands for environmental reasons. Previously, conservation easements were granted to protect lands from development and preserve them for natural environment purposes, such as wetland protection, habitat protection, etc. Now, conservation easements may also be established under the *Conservation Land Act* to include protection of water quality and quantity, as well as watershed protection and management (with other further purposes possibly added by provincial regulation). The Official Plan should include policies recognizing the use of conservation easements for water and watershed protection.

m. Statutory value of lands established for school sites

In order to protect lands for school planning and ensure the cost-effective provision of schools in new neighbourhoods, Bill 51 establishes how the value of lands for schools is determined. The value of the school site is based on the value of the lands one day before the draft plan of subdivision is approved. This is implemented by a condition of Plan of Subdivision approval. The Windsor Official Plan should include a policy making reference to the valuation of school sites based on Bill 51, in the section of the OP addressing Plan of Subdivision approvals.

3.5 Summary of Issues and Policy Gaps

A summary of issues identified through the review of the PPS, legislation, and other background reports is identified in Table 3.1. The table also identifies the key points to be addressed through the Official Plan Update.

Table 3-1: Summary of Issues and Policy Gaps		
Issue	Specific Concern / Policy Gap	Key Points to be Addressed Through Official Plan Update
PPS Section 1 – Building Strong Communities	a. Intensification	In-depth analysis of intensification needed to support the Official Plan Update; OP to include targets for intensification; OP to co-ordinate phasing of intensification and greenfield development
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	b. Agriculture	If needed as interim measure for Annexed Lands, policies for agricultural land use permission in environmental areas
	c. Resources	OP policies to address full scope of PPS requirements for resource extraction
PPS Section 3 – Public Health and Safety	a. Natural Hazards	OP policies to be updated to address floodplain planning requirements
	b. Human-made Hazards	OP policies to address development of lands adjacent to full-range of known or potential hazards

Issue	Specific Concern / Policy Gap	Key Points to be Addressed Through Official Plan Update
Bill 51	a. Consistency with the PPS	OP to include policy objective that plan is to be consistent with PPS.
	b. Establishment of a Local Appeal Body	OP may include policies that a future local appeal body must make decisions based on planning merits and consistent with CSP, OP, and PPS.
	c. Requirements for Updates to Official Plans	OP to include policies that five-year updates will address all provincial plans (if any), provincial interest, PPS, and employment lands.
	d. Criteria need for justifying settlement area expansion	OP to include policies addressing land supply, natural environment, community service facilities, parks, infrastructure, fiscal impact, etc., as criteria for evaluating settlement area expansions
	e. Open house requirements	OP to include policy regarding open house to be held in advance of a statutory public meeting for OP updates and Zoning amendments.
	f. Required zoning update in three years	OP to include policy that zoning will be updated within three years of any future OP five-year update
	g. Statutory pre-consultation requirements	OP to include policy regarding pre-consultation for Zoning, Site Plan and Subdivision applications; if appropriate, the City would have to pass a by-law making pre-consultation mandatory
	h. Additional information requirements for development applications	OP to state the range of studies needed to support OP Amendment, Zoning, Plan of Subdivision, and Consent applications
	i. New definition of community improvement	OP policies to be updated to reflect new <i>Planning Act</i> definition of “community improvement” which includes all types of development redevelopment, energy efficiency and affordable housing
	j. Eligible costs for community improvement programs	OP policies to be updated to ensure that CIP’s clearly state what improvements are eligible for grants or loans
	k. Expanded Scope for CIP’s	Participation in upper-tier CIP’s is not an issue since Windsor is a single-tier municipality
	l. Conservation Easements for Water and Watershed Protection	OP to include policies for conservation easements to protect water quality, quantity, and watersheds.
	m. Statutory value of lands established for school sites	OP to update Plan of Subdivision policies to ensure that value of school sites is determined based on the day before draft approval is issued; OP to direct that the valuation will be a condition of approval for Plans of Subdivision

4.0 Next Steps and Conclusions

This report completes the Legislation issues review for the “Looking Back” phase of the Windsor Official Plan Update project. Other reports addressing a range of other issues have also been produced.

The next step in the process will be to consolidate all the issues into a single *Issues Synthesis Discussion Report*. This will complete the Looking Back phase of the work.

The City will then proceed with the Moving Forward phase of work. This will involve a review of the issues, aligning the City’s approach to addressing the issues with the Community Strategic Plan, stakeholder consultation, and documenting specific changes to the City’s Official Plan. Any further studies – refer to the other Looking Back Summary Reports where further studies have been identified and discussed in detail – will need to be undertaken to inform the Official Plan update project.

Through the last stage, the Advancing Vision phase of work, the revised Official Plan will be prepared for Council adoption and approval by the Ministry of Municipal Affairs and Housing, with additional public consultation contemplated.

List of References

City of Windsor. 2006. *Renewing Windsor's 1996 Strategic Plan*. Windsor, ON: City of Windsor.

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Province of Ontario. 2005. *Provincial Policy Statement*. Toronto, ON: Queen's Printer for Ontario.

Province of Ontario. 2005. *Strong Communities (Planning Amendment) Act*. Toronto, ON: Queen's Printer for Ontario.

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Stantec Consulting Limited. 2006. *Windsor Annexed Lands Master Planning Study – Background Reports Summary*. London, ON: Stantec Consulting Limited.

Appendix "A"

Policy Audit of the Windsor Official Plan

1.0 INTRODUCTION

City Council engaged Dillon Consulting to carry out the background studies supporting the update of the City of Windsor Official Plan approved by the Ministry of Municipal Affairs and Housing in March 2000. As part of the background analysis, Dillon conducted a Policy Audit to assess the level of “consistency” of the existing City Official Plan with the new Provincial Policy Statement. This report documents the results of the Policy Audit of the Windsor Official Plan.

2.0 PLANNING CONTEXT FOR THE POLICY AUDIT

2.1 Local Context

The City of Windsor Official Plan was originally adopted by Council in November 1999 and approved in part by the Province in March 2000; the remainder was approved by an Ontario Municipal Board decision on November 1, 2002. This planning document is the primary focus of the Policy Audit.

The City has recently annexed lands from Tecumseh (former Township of Sandwich South) on January 1, 2003 to provide for its growth needs. The Official Plan of the former Sandwich South currently applies to these lands. Since these lands, predominantly designated for agricultural uses with some lands designated for urban and environmental land uses, are anticipated to be developed for future fully-serviced urban development, the Policy Audit has considered only certain policies during this period of transition.

2.2 Provincial Context

In 2004 the new Provincial Government introduced its Vision for Ontario’s Land Use Planning System: to maintain strong communities, a clean and healthy environment and a strong economy to ensure the long term prosperity and social well being of Ontarians. To achieve that vision, the Provincial Government made changes to the *Planning Act* through the *Strong Communities (Planning Amendment) Act, 2004*. The *Strong Communities Act*:

- makes provision for a provincial policy-led land use planning system;
- promotes sustainable economic development in a healthy natural environment;

- integrates matters of provincial interest into provincial and municipal planning decisions;
- provides for planning processes that are more open, accessible, timely and efficient;
- encourages co-operation and coordination among various interests; and,
- recognizes the decision-making authority and accountability of municipal councils in planning.

As a key component of its policy led planning system, the Provincial Government introduced the new Provincial Policy Statement which came into effect on March 1, 2005. The three main principles of the new PPS are as follows:

1. Managing growth and promoting efficient, cost-effective land use patterns that not only optimize the use of land, resources and public investment in infrastructure; but that also minimize the undesirable effects of development such as impacts on air, water and other resources;
2. Wise use and management of resources in order to meet long-term environmental and economic needs; and
3. Minimizing the potential for risk to public health and safety as well as cost, by directing development away from areas of natural and man-made hazards and hazards that can not be mitigated.

The *Planning Act* as amended by the *Strong Communities (Planning Amendment) Act, 2004* requires that all decisions affecting land use planning matters “shall be consistent with” the new PPS.

Municipal official plans are the primary tool for implementing the PPS. The new PPS requires official plans to:

- focus growth within full municipally serviced urban settlement areas;
- restrict residential development in rural areas while protecting agriculture and promoting resource-based recreational activities;

- make provision for sufficient land to accommodate an appropriate range and mix of land uses to meet projected needs for residential and employment (industrial, commercial and institutional) uses for up to 20 years;
- make provision for land use patterns that offer a mix of uses and densities, efficiently utilize available or planned infrastructure and public service facilities and avoid unjustified and/or costly settlement area expansions;
- avoid development patterns that would prevent the efficient expansion of settlement areas;
- only allow settlement area expansions at the time of a comprehensive official plan review and only where intensification, redevelopment and designated growth areas can not sufficiently accommodate the projected needs;
- provide minimum targets for intensification and redevelopment within the built-up areas;
- maintain the ability to accommodate residential growth for a minimum of 10 years through intensification and redevelopment, and if necessary, greenfield areas that are designated and available for residential development;
- maintain at all times where new development is to occur, land with servicing capacity to provide at least a 3 year supply of residential units available through lands zoned for intensification and redevelopment and lands in draft approved and registered plans;
- permit and facilitate the provision of all types of housing, including all forms of residential intensification and redevelopment in order to meet current and future needs; and
- provide targets for affordable housing to meet the needs of low and moderate income households.

2.3 Approach to Policy Audit

Dillon Consulting undertook a Policy Audit comprising the following tasks:

- A review of the new PPS to confirm the new policy drivers/matters of Provincial interest as per the *Planning Act*.
- A Policy Audit of the City of Windsor Official Plan (as amended) and former Township of Sandwich South Official Plan (as amended). The audit will identify:
 - which Official Plan policies and/or designations are consistent with the new Provincial Policy Statement;
 - which Official Plan policies and/or designations are not consistent with the new Provincial Policy Statement;
 - suggested Official Plan policy directions to address conflicts with the new Provincial Policy Statement; and
 - the additional reviews/studies required to address the new Provincial Policy Statement.
- Document the findings for the Official Plan and associated Amendments in a matrix table summary.
- Review the Policy Audit with the City of Windsor Functional Management Team.

3. POLICY AUDIT

Key findings of the Audit are follows:

3.1 Overall Consistency with the Provincial Policy Statement

The overall level of consistency of the City of Windsor Official Plan and former Township of Sandwich South Official Plan (for simplicity's sake both documents will be referred to as the "Official Plan" from this point onwards) to the Provincial Policy Statement is as follows:

- The Official Plan is generally consistent with the new Provincial Policy Statement.
- The Official Plan framework is sound.

- Some policy gaps exist due to the new Policy Statement requirements.
- There are some policy-specific consistency issues and some need for policy updating and/or harmonization of terms.

3.2 Policy Directions to Address Specific Provincial Policy Requirements

The policy directions/changes required to address specific policies in the Provincial Policy Statement are as follows:

PPS Policy 1 – Building Strong Communities

a) Intensification

- The 20 year land supply analysis must include a more in-depth assessment of intensification as a pre-condition to permitting an urban area expansion.
- The intensification assessment must be based on “ground-up” analysis of physical potential in the built up areas of the City.
- Minimum targets for intensification must be provided in the Official Plan.
- Provision must be made in the Official Plan for the coordinated phasing of development of intensification areas and designated greenfield lands.

b) Urban Area Expansions

- Urban area expansions can only occur at the time of a comprehensive Official Plan Review.
- Proposals for urban area expansions require extensive planning justification including the provision of appropriate technical support analysis.

- The Official Plan must make provision for the coordinated phasing of intensification areas and greenfield lands that are being proposed for an urban development designation.

c) Conversion of Employment Lands

- A comprehensive planning review is required to justify conversion of employment lands to non-employment uses.
- Extensive planning justification including appropriate technical analysis is required to support proposed conversion of employment lands to non-employment uses.

d) Population and Employment Projections

- The Official Plan must include 20 year population, housing and employment (industrial, commercial, institutional) projections.
- The Official Plan must include 20 year land supply requirements for population and employment (industrial, commercial, institutional).
- The Official Plan must include targets for affordable housing (low and moderate income households).

e) Sewage and Water Services

- Land use and infrastructure planning must be integrated in the growth planning process ie. the Official Plan Review.
- Confirmation of reserve sewage and water capacity must be a pre-condition of development approval.
- Hauled sewage needs to be included in the calculation of reserve sewage treatment capacity.

f) Long-Term Economic Prosperity

- The Official Plan must include the breadth of policies for long-term economic prosperity.

g) Energy Facilities

- The Official Plan must permit as-of-right alternative energy and renewable energy facilities in the urban area.

PPS Policy 2 - Wise Use and Management of Resources

a) Natural Heritage

- The Official Plan must address protection of ecological function and biodiversity of the natural heritage system.
- The Official Plan must address development and site alteration (fish habitat)
- The Official Plan's policies related to natural features which must be protected from development need to be strengthened, and address "no negative impact" and development setbacks.
- The Official Plan needs to address water quality and quantity, and groundwater protection.
- The Official Plan has some consistency issues with the Provincial Policy Statement

b) Agriculture

- There is a need to update the Official Plan to address PPS requirements related to agriculture land uses, but only as an interim measure for lands formerly of Sandwich South which have been annexed for future urban development.

c) Resources

- There is a need to update the Official Plan to address the full scope of PPS requirements related to resource extraction.

PPS Policy 3 - Public Health and Safety

a) Natural Hazards

- There is a need to update the floodplain policies (ie. uses not permitted, conditions for permitting development, Special Policy Area concept for floodplains)

b) Human-made Hazards

- The Official Plan must address development of lands adjacent to the full range of known or potential human-made hazards.

3.3 Official Plan Foundation Studies to Address the Provincial Policy Statement

As building blocks for the new Official Plan to address the Provincial Policy Statement, a number of technical foundation studies are required as follows:

- Updated 20 Year Population and Housing Projections (including targets for affordable housing to meet the needs of low and moderate income households).
- Updated 20 year Employment Projections (for industrial, commercial and institutional uses).
- Updated 20 year Housing and Employment Land Supply Requirements (including a Regional Commercial System Analysis).
- Regional Commercial Systems Study to identify the hierarchy of appropriate retail land uses and commercial floor space requirements to serve growth.
- Intensification and Redevelopment Capacity Assessment (including targets for intensification within the built-up areas).
- Planning Consistency Report to demonstrate how consistency with the Provincial Policy Statement is being achieved through the proposed official plan policies and/or the supporting technical studies.

With the annexation of the lands formerly of the Township of Sandwich South, a number of additional foundation studies are being undertaken for these lands:

- Subwatershed Analysis to Assess Environmental Impacts on the Natural Heritage System.
- Water Supply, Sanitary Sewer and Transportation/Traffic Master Plans for the proposed Development Area.
- Stormwater Management Plan for the proposed Development Area.
- Municipal Finance Study to Assess Financial Impact on the City.
- Planning Justification Study to demonstrate how the Proposed Urban Area Expansion satisfies the requirements of the Provincial Policy Statement.

At the time this Policy Audit was being prepared the results of these studies were just being released. The relevant results of these studies will be reflected in the forthcoming analysis for the Official Plan Update.

4. NEXT STEPS FOLLOWING THE POLICY AUDIT

The Policy Audit has identified the policy sections of the Official Plan which need to be updated to meet PPS requirements. Issues Papers, centered around themes of land use, transportation, environment, etc., will discuss prevailing trends and issues affecting the Windsor community. These Issues Papers will identify any policy options to meet PPS requirements, trends and current planning issues, and will recommend a preferred policy option. These recommended policy options and the Policy Audit will together form the foundation upon which the policy changes will be scripted and modifications to the schedules (i.e., maps) be prepared.

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.1 MANAGING AND DIRECTING LAND USE TO ACHIEVE EFFICIENT DEVELOPMENT AND LAND USE PATTERNS</p> <p>1.1.1 Sustaining healthy, livable and safe communities.</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● CONSISTENCY WITH PPS REGARDING HOUSING AND EMPLOYMENT LAND SUPPLY, ACCESSIBILITY FOR THE DISABLED AND ELDERLY, LAND USE CONVERSIONS AND RENEWABLE ENERGY FACILITIES ● GENERAL UPDATING OF POLICIES AND/OR HARMONIZATION OF TERMS TO ADDRESS THE PPS 	<ul style="list-style-type: none"> ● policies promoting efficient development and land use patterns which sustain financial well-being ● policies that make provision for a range and mix of residential, employment (industrial, commercial, institutional), recreational and open space uses ● policies that preclude development and land use patterns that may cause environmental or public health and safety concerns ● policies that preclude development and land use patterns that would prevent the efficient expansion of settlement areas onto lands that are adjacent to or in close proximity to the settlement areas ● policies that promote cost effective development standards to minimize land consumption and servicing costs ● policies that promote improved accessibility for persons with disabilities and the elderly ● policies that ensure the provision of infrastructure and public service facilities to meet current and projected needs 	<ul style="list-style-type: none"> ✓ Sec. 3 promotes efficient development and land use patterns ✓ Sec. 3 promotes a range and mix of residential, employment, recreational and open space uses ✓ Sec. 5.4.6 – 5.4.9 contain policies addressing development/no development in natural heritage and hazard lands ✗ OP does not contain policies restricting lot creation and livestock operations on Rural designated lands which are adjacent to or in close proximity to the Windsor Urban Area ✗ OP does not contain policies promoting cost effective development standards as a means of reducing housing cost ✗ OP does not contain policies addressing accessibility for the disabled and the elderly ✗ OP contains a few interspersed policies regarding provision of infrastructure, but needs to be enhanced ✗ OP does not contains policies ensuring the provision of the <i>full range</i> of public service facilities for current and projected needs 	<ul style="list-style-type: none"> ● No change; some harmonization of terms ● No change; some harmonization of terms ● No change; some harmonization of terms ➤ OP to include policies preclude development and land use patterns that would prevent the efficient expansion of settlement areas onto lands that are adjacent to or in close proximity to the settlement areas ➤ OP to include policies promoting cost effective development standards ➤ OP to include policies addressing accessibility for seniors and the disabled ➤ OP to include enhanced policies regarding the provision of infrastructure for current and projected needs ➤ OP to include policies that make provision for the full range of public service facilities to meet current and projected needs

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<p>1.1.2 Basis for land requirements</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● 20 YEAR RESIDENTIAL LAND SUPPLY REQUIREMENTS MUST CONSIDER INTENSIFICATION AND REDEVELOPMENT POTENTIAL WITHIN THE EXISTING URBAN AREA BEFORE LOOKING AT GREENFIELD EXPANSION 	<ul style="list-style-type: none"> ● policies requiring the provision of a sufficient supply of land through intensification and redevelopment and if necessary, by designating new growth areas to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs up to the 20 year time horizon 	<ul style="list-style-type: none"> ✘ Sec. 3.3 does not contain policies addressing the role of intensification and redevelopment in the provision of housing stock. Any policies should require that land supply needs first be assessed on the basis of intensification and redevelopment potential within an existing built-up before considering an urban area expansion. ✘ To-date, land supply analysis for Windsor has assessed intensification potential at a desk-top level rather than from an “on the ground” physical potential perspective, and it has only been for residential. 	<ul style="list-style-type: none"> ➤ OP to update land supply policies to address the role of intensification and redevelopment in accommodating the 20 year projected needs for employment, housing and other land uses as per the PPS ➤ Update of the 20 Year Land Supply Study to include an “on the ground” analysis of physical potential for intensification and redevelopment

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.1.3 Settlement Areas.</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● 20 YEAR LAND SUPPLY REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL MUST CONSIDER INTENSIFICATION AND REDEVELOPMENT POTENTIAL WITHIN THE EXISTING URBAN AREA BEFORE LOOKING AT GREENFIELD EXPANSION ● INTENSIFICATION AND REDEVELOPMENT MUST BE BASED ON A "GROUND-UP" ASSESSMENT OF PHYSICAL POTENTIAL ● REQUIRE IDENTIFICATION OF MINIMUM TARGETS FOR INTENSIFICATION AND REDEVELOPMENT WITHIN THE EXISTING URBAN AREA ● EXPANSION OF EXISTING SETTLEMENT AREAS ONLY AT THE TIME OF COMPREHENSIVE OFFICIAL PLAN REVIEW ● EXPANSION OF EXISTING SETTLEMENT AREAS REQUIRE EXTENSIVE PLANNING JUSTIFICATION ● PHASING POLICIES FOR NEW GROWTH AREAS VIS-A-VIS INTENSIFICATION IN THE BUILT-UP AREAS 	<ul style="list-style-type: none"> ● policies addressing settlement areas as the focus of growth ● policies requiring land use patterns within settlement areas to be based on: <ul style="list-style-type: none"> • densities and mix of land uses which efficiently use lands and resources • densities and mix of land uses which are appropriate for/efficiently use existing or planned infrastructure and public service facilities • densities and mix of land uses which minimize impacts to air quality and climate change and energy efficiency ● policies requiring land use patterns within settlement areas to be based on a range of uses and opportunities for intensification and redevelopment ● policies requiring intensification and redevelopment to take into account existing building stock or areas including brownfield sites and the availability of suitable existing or planned infrastructure and public service facilities ● policies addressing development standards which facilitate intensification, redevelopment and compact form ● policies establishing minimum targets for intensification and redevelopment within built-up areas ● policies establishing phasing to ensure specified targets for intensification and redevelopment are achieved concurrent with development within designated new growth areas 	<ul style="list-style-type: none"> ✘ Although it is implied, the OP does not specifically indicate that the City is the focus of urban growth ✘ OP does not address climate change and energy efficiency ✘ OP does not place the same level of importance on intensification and redevelopment as required by the PPS ✘ OP does not address intensification and redevelopment to PPS requirements ✘ OP does not contain comprehensive redevelopment policies ✘ OP does not establish minimum targets ✘ OP does not establish phasing to ensure specified targets are achieved ✘ OP does not require that development occur adjacent to the existing built-up area 	<ul style="list-style-type: none"> ➤ OP to include policies re-enforcing the City as the focus of urban growth ➤ OP to include policies addressing climate change and energy efficiency ➤ OP to include policies that address the role of intensification and redevelopment in accommodating employment, housing, public service facilities, etc. as per the PPS ➤ OP to include policies addresses intensification and redevelopment to PPS requirements ➤ OP to include policies addressing standards which facilitate intensification, redevelopment and compact form ➤ OP to include policies addressing minimum targets for intensification and redevelopment within built-up areas ➤ OP to include policies addressing phasing to ensure specified targets for intensification and redevelopment are achieved concurrent with development within designated new growth areas ➤ OP to include policies requiring development within designated new growth areas to occur adjacent to the existing built-up area
<p>Policy 1 – Building Strong Communities</p>	<p>● policies requiring development within designated new growth areas to occur adjacent to the existing built-up area</p>	<p>✘ OP does not require that development occur adjacent to the existing built-up area</p>	<p>➤ OP to include policies requiring development within designated new growth areas to occur adjacent to the existing built-up area</p>

†Unless noted otherwise, reference is to Windsor Official Plan (on the premise that the policies are required to be consolidated as part of the OP Update project)

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

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	<ul style="list-style-type: none"> ● policies requiring development within designated new growth areas to have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure public service facilities ● policies establishing phasing requirements to ensure the orderly progression of development within designated new growth areas and the timely provision of infrastructure and public service facilities ● policies permitting the establishment of new settlement areas or the expansion of existing settlement areas only at the time of a comprehensive review and only where it has been demonstrated that: <ul style="list-style-type: none"> • sufficient opportunities for growth are not available through intensification, redevelopment or existing vacant designated lands to meet the projected needs • existing or planned infrastructure and public service facilities are suitable for the development • in prime agricultural areas there are no reasonable alternatives which avoid prime agricultural areas or on lower priority agricultural lands • impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent possible 	<ul style="list-style-type: none"> ✓ OP contains policies addressing compact form, mix of uses and densities ✓ Sec. 10.7.8 contains phasing policies for the new growth areas ✗ OP does not contain policies linking settlement area expansions to comprehensive Official Plan Reviews ✗ OP does not contain the criteria for justifying a settlement area expansion 	<ul style="list-style-type: none"> ● No change ● No change ➤ OP to include policies linking settlement area expansions to comprehensive Official Plan Reviews ➤ OP to include the new criteria for justifying a settlement area expansion ➤ Next settlement area expansion to include the following technical justification: <ul style="list-style-type: none"> • 20 Year Population and Housing Projections Study (Update) • 20 Year Residential, Employment Land Needs Study (Update) • 20 Year Regional Commercial Systems Study (Update) • Intensification and Redevelopment Opportunities Study • Subwatershed Study/ Master Drainage Plan • Water and Sanitary Servicing Assessment • Road and Traffic Assessment • Public Service Facilities Assessment • Development Phasing and Municipal Finance Assessment • Planning Justification Study

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

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	<ul style="list-style-type: none"> • policies requiring the establishment of the direction of growth expansions or the identification of new settlement areas to be consistent with Sections 2 and 3 of the PPS 	<ul style="list-style-type: none"> ✗ OP does not contain policies requiring settlement expansions to also be consistent with Section 2 and 3 of the PPS 	<ul style="list-style-type: none"> ➤ OP to include policy links to Sections 2 and 3 of the PPS
<p>1.1.4 Rural Areas</p>	<ul style="list-style-type: none"> • <i>It should be noted that there are no planned Rural land uses designated in the existing City of Windsor Official Plan and that the planned Agricultural land uses in the former Township of Sandwich South Official Plan are intended to be redesignated for urban land uses</i> • policies requiring development to be appropriate to the infrastructure which is planned or available and avoid the need for the unjustified or uneconomical expansion of this infrastructure • policies requiring new land uses, including the creation of new lots, and new or expanding livestock facilities to comply with the Minimum Distance Separation Formulae • policies promoting development that is compatible with the rural landscape and can be sustained by rural service levels • policies that protect locally important agricultural and resource uses through designation and direct non-related development to areas where it will not constrain those uses • policies that make provision for locating new or expanding land uses that require separation from other uses • policies that promote recreational, tourism and other economic opportunities 	<ul style="list-style-type: none"> • Not applicable 	<ul style="list-style-type: none"> • No change

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

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<p>1.2 COORDINATION OF PLANNING ACTIVITIES</p>	<ul style="list-style-type: none"> ● policies requiring a coordinated, integrated and comprehensive approach when dealing with planning matters within municipalities or which cross municipal boundaries, including: <ul style="list-style-type: none"> • managing and/or promoting growth and development • managing natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources • infrastructure, public service facilities and waste management systems • ecosystem, shoreline and watershed related issues • natural and human-made hazards • population, housing and employment projections, based on regional market areas ● policies requiring coordination with adjacent municipalities regarding: <ul style="list-style-type: none"> • the preparation of population, housing and employment projections • the identification of areas where growth will be directed including nodes and corridors linking those nodes • where transit corridors exist or are planned, the identification of density targets for areas adjacent or in proximity to those corridors 	<ul style="list-style-type: none"> ✓ Although a coordinated approach is implied, Sec. 10 of the plan is not specific on a coordinated, integrated and comprehensive planning approach ✓ Sec 10.5 includes policies coordinating the planning of Windsor with adjacent municipalities ✗ Sec. 10.5 does not have specific policies regarding projections, nodes/corridors, and densities for coordinated cross-jurisdictional planning 	<ul style="list-style-type: none"> ➤ OP to include policies describing coordinated, integrated and comprehensive planning approach ● No change ➤ OP to include specific policies regarding projections, nodes/corridors, and densities for coordinated cross-jurisdictional planning

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.3 EMPLOYMENT AREAS</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● REQUIRE ASSESSMENT OF THE 20 YEAR NEEDS FOR EMPLOYMENT LANDS (INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL) ● CONVERSION OF INDUSTRIAL LAND TO NON-INDUSTRIAL LAND REQUIRE A COMPREHENSIVE REVIEW AND EXTENSIVE PLANNING JUSTIFICATION 	<ul style="list-style-type: none"> ● policies requiring the promotion of economic development and competitiveness by: <ul style="list-style-type: none"> • providing for an appropriate mix and range of employment (industrial, commercial, institutional) to meet long term needs • providing opportunities for a diversified economic base including maintaining a range and choice of suitable sites for employment uses • planning for, protecting and preserving employment areas for current and future uses • ensuring the necessary infrastructure is provided to support current and projected needs ● policies only permitting conversions of employment lands to non-employment lands through a comprehensive review 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 	<ul style="list-style-type: none"> ✓ Objectives of Employment, Business Park, etc., designations provide some general strategic policy regarding employment ✗ OP contains no specific long-term employment lands strategy (e.g. targets for future employment levels) and implementing policies ✗ OP contains no policies regarding the conversion of employment lands to non-employment lands 	<ul style="list-style-type: none"> ● No change ➤ OP to include policies describing Windsor’s employment land strategy ➤ Undertake a detailed, quantitative Assessment of Windsor’s employment lands needs (Industrial, Business Park, Commercial Centre, Commercial Corridor, Major Institutional, Waterfront Port) as the foundation for that strategy ➤ OP to include policy criteria for reviewing proposed conversions

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.4 HOUSING</p> <p>1.4.1 Land and Housing Supply</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● UPDATE THE 20 YEAR POPULATION AND HOUSING PROJECTIONS AT THE REGIONAL HOUSING MARKET AREA ● UPDATE THE 10 YEAR LAND SUPPLY BASED ON THOSE PROJECTIONS ● UPDATE THE 3 YEAR INVENTORY OF DRAFT APPROVED LOTS BASED ON THOSE PROJECTIONS ● IDENTIFY TARGETS FOR AFFORDABLE HOUSING TO MEET THE NEEDS OF LOW AND MODERATE INCOME HOUSEHOLDS 	<ul style="list-style-type: none"> ● policies requiring the provision of an appropriate range of housing types and densities to meet the projected requirements of current and future residents of the regional market area by: <ul style="list-style-type: none"> • maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and if necessary lands which are designated and available for new residential development • maintaining at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment and land in draft approved or registered plans 	<ul style="list-style-type: none"> ✗ OP policies do not adequately address the role of intensification and redevelopment in determining land supply as required by the PPS 	<ul style="list-style-type: none"> ➤ OP to update the policies to address intensification and redevelopment as per the PPS ➤ As part of the current Official Plan Review, undertake a detailed, quantitative assessment of intensification opportunities ➤ As part of the current Official Plan Review, undertake an Update of its 20 Year Population and Housing Projections and Residential Land Supply Requirements including 3 year dwelling unit and 10 year serviced land supply

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.4.3 Range of Housing Types</p>	<ul style="list-style-type: none"> • policies addressing the provision of an appropriate range of housing types and densities to meet the projected requirements of current and future residents of the regional market area: <ul style="list-style-type: none"> • establishing minimum targets for the provision of housing which is affordable to low and moderate income households • permitting all forms of housing required to meet the social, health and well being requirements of current and future residents, including special needs requirements • permitting all forms of residential intensification and redevelopment in accordance with the PPS • directing the development of new housing towards locations where infrastructure and public service facilities are or will be available to support current and projected needs • promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities • promoting densities for new housing which support the use of alternative transportation modes and public transit in areas where it exists or is to be developed • establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety 	<ul style="list-style-type: none"> ✗ OP does not contain policies that establish minimum targets ✓ OP permits wide range of housing types ✗ OP does not contain intensification and redevelopment policies as per PPS ✓ OP contains policies generally directing development to existing facilities ✗ OP does not contain policies establishing minimum densities ✗ OP does not establish densities supporting alternative transit modes / public transit ✗ OP does establish development standards for residential as per PPS 	<ul style="list-style-type: none"> ➤ OP to include updated policies establishing minimum targets for the provision of housing which is affordable to low and moderate income households • No change ➤ OP to include updated policies permitting all forms of residential intensification and redevelopment in accordance with the PPS • No change ➤ OP to include updated policies promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities ➤ OP to include updated policies promoting densities for new housing which support the use of alternative transportation modes and public transit in areas where it exists or is to be developed ➤ OP to include updated policies establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.5 PUBLIC SPACES</p> <p>1.5.1 Healthy and Active Communities</p>	<ul style="list-style-type: none"> • policies promoting healthy and active communities by: <ul style="list-style-type: none"> • planning public streets, open spaces and facilities to be safe, meet the needs of pedestrians and facilitate pedestrian and non-motorized movement ie. walking, cycling • providing for a full range and distribution of publicly accessible built and natural settings for recreation ie. facilities, parkland, open space areas, trails, etc. • providing opportunities for public access to shorelines • considering the impacts of planning decisions on provincial parks, conservation reserves and conservation areas 	<ul style="list-style-type: none"> ✓ Sec. 5.3.2 Greenway and 6.7.3 Public Open Space provides for a hierarchy of open space, distributed open space and linkages ✓ Sec. 7.2 provides for non-automobile modes of transportation including pedestrians, cycling network, transit, etc. ✓ Sec. 6.10.3 Waterfront Recreation addresses access to shorelines ✗ Sec. 6.8 Natural Heritage protects conservation lands and requires Environmental Evaluation Report for adjacent development, however, policies could be strengthened 	<ul style="list-style-type: none"> • No change • No change • No change ➤ OP to include strengthened policies regarding Environmental Evaluation Report and mitigation of development adjacent to conservation lands

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.6 INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES</p> <p>1.6.1- General 1.6.3</p>	<ul style="list-style-type: none"> ● policies requiring infrastructure and public service facilities be provided in a coordinated, efficient and cost-effective manner ● policies requiring planning for infrastructure and public service facilities be integrated with planning for growth to meet current and projected needs ● policies addressing the use of existing infrastructure and public service facilities where feasible, before considering new infrastructure and public service facilities ● policies addressing the strategic location of infrastructure and public service facilities to support effective/efficient delivery of emergency management services ● policies encouraging co-location of public service facilities where feasible 	<ul style="list-style-type: none"> ✗ Sec. 7 does not address cost-effective delivery of infrastructure ✓ Sec. 7.3.3 refers to coordinating planning for growth and planning for infrastructure ✓ Sec. 7.3.3 indicates that existing serviced areas be developed and existing servicing be utilized before the extension of new servicing ✗ OP does not contain policies addressing coordinated and cost-effective public service facilities to serve growth ✓ Sec. 7.3 includes policies addressing co-locating facilities ✗ OP contains only limited policies addressing emergency management services (Sec. 4.2.7) 	<ul style="list-style-type: none"> ➤ OP to include policies addressing the infrastructure being provided a cost-effective manner ● No change ● No change ➤ OP to include reference to public service facilities, and include policies addressing the effective, efficient, and coordinated provision of public service facilities ● No change ➤ OP to include policies addressing the effective/efficient delivery of emergency management services

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.6.4 Sewage and Water Services</p> <p>1.6.4.1 Planning for sewage and water services</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● GROWTH BASED ON THE HIERARCHY OF SERVICES <ul style="list-style-type: none"> →FULL MUNICIPAL WATER AND SANITARY SERVICES →PRIVATE COMMUNAL WATER AND SEWAGE SERVICES ONLY WHERE MUNICIPAL SERVICES ARE NOT AVAILABLE →PRIVATE INDIVIDUAL WATER AND SEWAGE SERVICES ONLY WHERE PRIVATE COMMUNAL SERVICES ARE NOT AVAILABLE ● INTEGRATION OF LAND USE AND INFRASTRUCTURE PLANNING IN THE GROWTH PLANNING/MANAGEMENT PROCESS ● CONFIRMATION OF RESERVE SEWAGE AND WATER CAPACITY AS A PRE-CONDITION OF DEVELOPMENT APPROVAL ● INCLUSION OF HAULED SEWAGE FROM THE PRIVATELY SERVICED LAND USES IN THE RESERVE SEWAGE AND WATER CAPACITY CALCULATION ● UPDATING OF INFRASTRUCTURE SERVICE, TRANSPORTATION SYSTEM AND CORRIDOR, AIRPORT AND WASTE MANAGEMENT POLICIES 	<ul style="list-style-type: none"> ● policies that require expected growth be accommodated in a manner that promotes the efficient use of existing: <ul style="list-style-type: none"> • municipal sewage services and municipal water services; and • private communal sewage services and private communal water services where municipal services are not available ● policies that require that these systems be provided in a manner that: <ul style="list-style-type: none"> • can be sustained by the water resources upon which those services rely • is financially viable and complies with regulatory requirements • protects human health and the natural environment ● policies that promote water conservation and water use efficiency ● policies that require the integration of servicing and land use considerations at all stages of the planning process ● subject to the hierarchy of services, policies that allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services ● policies that require the determination of sufficient reserve capacity sewage system capacity to include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services 	<ul style="list-style-type: none"> ✓ Sec. 7.3.3 contains policies that reflect the hierarchy of services in the PPS ✗ Sec. 7.3.3.9 is too permissive towards alternative servicing of development ✗ Sec. 7 does not address sustainability of water resources ✗ Sec. 7 does not address cost-effective delivery of infrastructure ✗ Sec. 7 does not contain policies promoting water conservation and water use efficiency ✓ Sec. 7.3.3 refers to coordinating planning for growth and planning for infrastructure ✗ Sec. 7 does not contain policies specifically requiring the confirmation of reserve capacity in the municipal sewage and water systems as a pre-condition of development approvals ✗ OP does not include policies regarding determination of sufficient reserve capacity 	<ul style="list-style-type: none"> ● No change ➤ OP to include policies describing the hierarchy of services from municipal sewage and water services to private communal sewage and water services to private individual sewage disposal and water supply, in addition to the applicable evaluation criteria ➤ OP to include policies regarding sustainability of water resources ➤ OP to include policies addressing the infrastructure being provided a cost-effective manner ➤ OP to include policies promoting water conservation and use efficiency ● No change ➤ OP to include policies requiring the confirmation of reserve capacity in the municipal sewage and water systems as a pre-condition of development approvals ➤ OP to include policies that require the determination of sufficient reserve capacity sewage system capacity to include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.6.4.2- Hierarchy of Services 1.6.4.4</p>	<ul style="list-style-type: none"> ● policies recognizing that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. ● policies recognizing that private communal sewage services and private communal water services may be permitted where: <ul style="list-style-type: none"> • municipal sewage services and municipal water services are not provided; and • the services to be provided satisfy policy 1.6.4.1 in the PPS ● policies recognizing that individual on-site sewage services and individual on-site water services shall be used for a new development of 5 lots or less or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long term provision of those services ● policies recognizing that individual on-site sewage services and individual on-site water services may be used to service more than 5 lots or private residences in rural areas provided these services are solely for those uses permitted by policy 1.1.4.1 a) in the PPS and site conditions are suitable for the long term provision of those services 	<ul style="list-style-type: none"> ✓ Sec. 7.3.2.3 identifies that municipal services are required for development ✗ Sec. 7.3.3.9 is too permissive towards alternative servicing of development ● Not applicable ● Not applicable 	<ul style="list-style-type: none"> ● No change ➤ OP to include policies describing the hierarchy of services from municipal sewage and water services to private communal sewage and water services to private individual sewage disposal and water supply, in addition to the applicable evaluation criteria ● No change ● No change

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
1.6.4.5 Partial Services	<ul style="list-style-type: none"> ● policies recognizing that partial services shall only be permitted: <ul style="list-style-type: none"> • where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development • within settlement areas, to allow for infilling and rounding out of existing development provided that the development is within the reserve sewage system capacity and reserve water system capacity and the site conditions are suitable for the long term provision of those services 	<ul style="list-style-type: none"> ● Not applicable; partial services are not permitted 	<ul style="list-style-type: none"> ● No change
1.6.5 Transportation systems	<ul style="list-style-type: none"> ● policies requiring transportation systems to be safe, energy efficient, facilitate the movement of people and goods and are appropriate to address projected needs ● policies requiring the efficient use of existing and planned infrastructure ● policies requiring connectivity within and among transportation systems and modes to be maintained and where possible improved ● policies promoting land use patterns, density and mix of uses that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes ● policies requiring transportation and land use considerations to be integrated at all stages of the planning process 	<ul style="list-style-type: none"> ● Generally in the spirit of the PPS with a few specific policies issues as per below ✗ Sec. 7.2.2 does not address efficient use of existing and planned transp. infrastructure ✗ Sec. 7.2.2 does not address connectivity within and among transportation systems / modes ✓ Sec. 7.2.2 promotes patterns and use supporting viable alternative transportation modes ✗ Sec. 6 and sec. 7.2.2 does not address densities of development supporting viable alternative transportation modes ✗ Sec. 7.2 and Sec 10.2.8 do not require transportation and land use considerations to be integrated at all stages of the planning process 	<ul style="list-style-type: none"> ● Changes as per below ➤ OP to include policies addressing efficient use of existing and planned transportation infrastructure ➤ OP to include polices addressing connectivity within and among transportation systems and modes ● No change ➤ OP to include policies addressing densities of development supporting viable alternative transportation modes ➤ OP to include policies addressing integration of transportation and land use consideration at all stages of the planning process

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
1.6.6 Transportation and Infrastructure Corridors	<ul style="list-style-type: none"> ● policies requiring the planning for and protection of corridors and rights-of-ways for transportation, transit and infrastructure facilities to meet current and projected needs ● policies prohibiting development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose for which it was identified ● policies encouraging the preservation and reuse of abandoned corridors for purposes that maintain the corridor’s integrity and continuous linear characteristics 	<ul style="list-style-type: none"> ✘ Sec. 9.1 Transportation has not been updated to be consistent with the transportation corridor policies in the PPS 	<ul style="list-style-type: none"> ➤ OP transportation policies be updated as per the PPS

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
1.6.7 Airports	<ul style="list-style-type: none"> ● policies requiring land use planning in the vicinity of airports to: <ul style="list-style-type: none"> • protect the long term operation and economic role of airports; and • ensure that airports and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants ● policies requiring airports be protected from incompatible land uses and development by: <ul style="list-style-type: none"> • prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP as set out on maps that have been reviewed by Transport Canada • considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long term function of the airport • discouraging land uses which may cause a potential aviation safety hazard 	<ul style="list-style-type: none"> ✘ Sec. 7.2.10 does not address buffering, design or separation (<i>it is recognized that the airport is outside of the City's boundary</i>) ✘ OP does not illustrate NEF contours on Schedule C ✘ Sec. 7.2.10 does not address land uses which may cause a potential aviation safety hazard 	<ul style="list-style-type: none"> ➤ OP to include policies addressing buffering, design or separation ➤ OP to include illustration of NEF contours on Schedule C ➤ OP to include policies addressing land uses which may cause potential aviation safety hazards

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
1.6.8 Waste Management	<ul style="list-style-type: none"> ● policies addressing the provision of waste management systems that are of appropriate size and type to accommodate present and future requirements and facilitate, encourage and promote reduction, reuse and recycling ● policies requiring waste management systems be located and designed in accordance with provincial legislation and standards 	<p>✘ Sec. 9.6 Solid Waste Disposal has not been updated to be consistent with the PPS</p>	<p>➤ OP to update policies to include waste management policies as per the PPS</p>

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.7 LONG TERM ECONOMIC PROSPERITY</p>	<ul style="list-style-type: none"> • policies encouraging long term prosperity by: <ul style="list-style-type: none"> • optimizing the long term availability and use of land, resources, infrastructure and public service facilities • maintaining and enhancing the vitality and viability of downtowns and mainstreets • promoting the redevelopment of brownfield sites • providing for an efficient, cost-effective and reliable multi-modal integrated transportation system • planning so that major facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants and minimize the risk to public health and safety • providing opportunities for sustainable tourism development • promoting the sustainability of the agri-food sector by protecting agricultural resources and minimizing land use impacts • providing opportunities for increased energy generation, supply and conservation including alternative energy systems and renewable energy systems 	<p>✘ Sec. 3.3.2 contains few of the PPS policies that address long term economic prosperity</p>	<p>➤ OP to include updated policies addressing long term economic prosperity as per the PPS</p>

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS THE PROVINCIAL POLICY STATEMENT

POLICY 1 - BUILDING STRONG COMMUNITIES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT†	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>1.8 ENERGY AND AIR QUALITY</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> ● PERMITTING AS-OF-RIGHT ALTERNATIVE ENERGY AND RENEWABLE ENERGY FACILITIES IN URBAN AREAS 	<ul style="list-style-type: none"> ● policies that support energy efficiency and improved air quality through land use and development patterns which: <ul style="list-style-type: none"> • promote compact form and a structure of nodes and corridors • promote the use of public transit and other alternative transportation modes • focus major employment, commercial and other travel-intensive land uses on sites which are well served by public transit where this exists or is to be developed, or designing these to facilitate the establishment of public transit in the future • improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion • promote design and orientation which maximize the use of alternative or renewable energy ● policies which promote increased energy supply by providing opportunities for energy generation facilities to accommodate current and projected needs ● policies which permit alternative energy systems and renewable energy systems in settlement areas, rural areas and prime agricultural areas in accordance with provincial and federal requirements ● policies requiring systems in rural areas and prime agricultural areas to be designed and constructed to minimize impacts on agricultural operations 	<ul style="list-style-type: none"> ✘ Sec. 8 Urban Design contains some policies addressing energy efficiency, but need to be enhanced to address nodes/corridors, focusing of development, and live-work mix ✘ OP does not contain policies regarding energy generation facilities ✘ OP does not contain policies encouraging alternative energy systems and renewable energy systems ● Not applicable 	<ul style="list-style-type: none"> ➤ OP to include policies addressing energy efficiency related to nodes/corridors, focusing of development, and live-work mix ➤ OP to include policies addressing a study of the implications of permitting energy generation facilities as-of-right in the municipality ➤ OP to include policies encouraging alternative energy systems and renewable energy systems ● No change

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>2.1 NATURAL HERITAGE</p> <p>2.1.1 Long Term Protection</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> • NO MAJOR NATURAL HERITAGE ISSUES REGARDING PPS POLICY 2 • GENERAL UPDATING OF POLICIES AND/OR HARMONIZATION OF TERMS TO ADDRESS THE PPS 	<ul style="list-style-type: none"> • policies requiring the long term protection of natural features and areas from incompatible development 	<ul style="list-style-type: none"> ✓ Sec. 5 Environment contains policies addressing the long term protection of natural features and areas from incompatible development 	<ul style="list-style-type: none"> • No change; some possible harmonization of terms
2.1.2 Maintenance of Diversity and Natural Connections	<ul style="list-style-type: none"> • policies addressing the maintenance, restoration and where possible, the improvement of the diversity and connectivity of natural features in an area and the long term ecological function and biodiversity of natural heritage systems 	<ul style="list-style-type: none"> ✗ OP does not contain policies addressing the protection of the ecological function and biodiversity of the natural heritage system 	<ul style="list-style-type: none"> ➤ OP to include policies addressing protection of the ecological function and biodiversity of the natural heritage system
2.1.3 Areas where No Development and Site Alteration are Permitted	<ul style="list-style-type: none"> • policies and no development designations addressing no development and site alteration being permitted in Provincially significant wetlands and coastal wetlands and significant habitat of endangered species and threatened species 	<ul style="list-style-type: none"> ✓ Sec. 5.3.3 and 6.8 contains policies addressing where no development and site alteration are permitted. Some minor updating of the policies are required to reflect changing terminology ie. Endangered species and threatened species and changing definitions ie. coastal wetlands in no-development 	<ul style="list-style-type: none"> • No change; some minor updating and harmonization of terms
2.1.4 Areas where Development and Site Alteration may be Permitted Subject to Study	<ul style="list-style-type: none"> • policies and development subject to study designations addressing development and site alteration only being permitted in significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest where a study has demonstrated that there will be no negative impacts on the natural feature or their ecological functions 	<ul style="list-style-type: none"> ✓ Sec. 5.3.4 contains policies addressing where development and site alteration are only permitted based on an environmental study that demonstrates no negative impact on the natural feature or their ecological functions 	<ul style="list-style-type: none"> • No change; some minor updating and harmonization of terms
2.1.5 Development and Site Alteration in Fish Habitat	<ul style="list-style-type: none"> • policies and development subject to study designations addressing development and site alteration only being permitted in fish habitat in accordance with provincial and federal requirements 	<ul style="list-style-type: none"> ✓ Sec. 6 does not contain specific policies addressing development and site alteration that may impact fish habitat 	<ul style="list-style-type: none"> ➤ OP to include specific policies addressing development and site alteration that may impact fish habitat

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
2.1.6 Development and Site Alteration on Adjacent Lands	<ul style="list-style-type: none"> ● policies and development subject to study designations addressing development and site alteration only being permitted on adjacent lands to the natural features and areas identified in policies 2.1.3 - 2.1.5 in the PPS where a study has evaluated the ecological function of the adjacent lands and has demonstrated that there will be no negative impacts on the natural features or their ecological functions 	<ul style="list-style-type: none"> ✘ Sec 6.8.2.4 does not ensure “no negative impact” and does not “establish setbacks” for adjacent lands 	<ul style="list-style-type: none"> ➤ OP to include policies addressing “no negative impact” and establishment of setbacks for lands adjacent to natural heritage features identified in Section 2.1.3-2.1.5 of the PPS
2.1.7 Agricultural Uses in Natural Heritage Areas	<ul style="list-style-type: none"> ● policies recognizing that existing agricultural uses in natural heritage areas are permitted to continue 	<ul style="list-style-type: none"> ✘ Sec. 5.3 and 6.8 do not contain a clear policy indicating that existing agricultural uses are permitted in natural heritage areas 	<ul style="list-style-type: none"> ➤ OP to include a clear policy regarding agriculture in natural heritage areas
<p>2.2 WATER</p> <p>2.2.1 Quantity and Quality of Water</p>	<ul style="list-style-type: none"> ● policies requiring the protection, improvement or restoration of the quality and quantity of water by: <ul style="list-style-type: none"> • planning on a watershed basis • minimizing potential impacts including cross-jurisdictional and cross-watershed impacts • implementing restrictions on development and site alteration to protect municipal drinking water supplies and designated vulnerable areas and protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive groundwater features and their hydrologic functions • maintaining linkages and related functions among surface water features, groundwater features, hydrologic functions and natural heritage features and areas • promoting efficient and sustainable use of water resources • ensuring stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative or pervious surfaces 	<ul style="list-style-type: none"> ✘ The OP is interspersed with a few policies addressing the protection and improvement of water quality and quantity (Sec. 5.3.8, Sec. 7.3.4), but does not address it in a comprehensive manner and does not reflect all of the PPS requirements 	<ul style="list-style-type: none"> ➤ OP to include comprehensive policies regarding water quality and quantity

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
2.2.2 Development and Site Alteration in or near Surface Water or Groundwater Features	<ul style="list-style-type: none"> • policies restricting development and site alteration in or near sensitive surface water features and sensitive groundwater features in order to protect, improve or restore those features and their related hydrologic functions • policies indicating that mitigative measures and/or alternative development approaches may be required to protect, improve or restore sensitive surface water features, sensitive groundwater features and their hydrologic functions 	✗ OP does not contain policies addressing sensitive groundwater recharge/discharge areas and development and site alteration in or near sensitive surface water features	➤ OP to include policies addressing groundwater recharge/discharge areas and development and site alteration in or near sensitive surface water features
<p>2.3 AGRICULTURE</p> <p>2.3.1 Protection of Prime Agricultural Areas for Agriculture.</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <ul style="list-style-type: none"> • <i>LOT CREATION POLICIES</i> • <i>POLICY JUSTIFICATION FOR TAKING PRIME AGRICULTURAL LANDS OUT OF PRODUCTION TO SERVE URBAN DEVELOPMENT</i> 	<ul style="list-style-type: none"> • policies addressing the protection of prime agricultural areas for long term agricultural use (prime agricultural areas are specialty crop areas and Canada Land Inventory Classes 1, 2 or 3 soils, in that order of priority for protection) 	<ul style="list-style-type: none"> • Not applicable given that agricultural lands have been annexed to support planned growth of Windsor 	<ul style="list-style-type: none"> • No change
2.3.3 Permitted Uses in Prime Agricultural Areas	<ul style="list-style-type: none"> • policies identifying agricultural uses as well as secondary uses and agriculture-related uses as the permitted uses in prime agricultural areas • policies indicating that secondary uses and agriculture-related uses shall be limited in scale, compatible with and not hinder surrounding agriculture operations • policies indicating that in prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted in accordance with provincial standards • policies indicating that new land uses including the creation of lots and new or expanding livestock facilities shall comply with the Minimum Distance Separation Formulae 	✗ Official Plan does not contain policies addressing agricultural uses; applicable only to existing agricultural development annexed from lands formerly in Sandwich South	➤ Official Plan to include policies applicable only to existing agricultural lands permitting development which will not hinder the long-term development of the lands for future urban development

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>2.3.4 Lot Creation and Lot Adjustments in Prime Agricultural Areas</p>	<ul style="list-style-type: none"> ● policies discouraging lot creation in prime agricultural areas except in specific situations: <ul style="list-style-type: none"> • new lot for an agricultural use provided the lot is of a size appropriate for the type of agricultural use common in the area and is sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations • agriculture-related use provided the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services • a residence surplus to a farm operation as a result of farm consolidation provided that new residential dwellings are specifically prohibited on any vacant remnant parcel of farmland created by the severance • infrastructure where the facility or corridor cannot be accommodated through the use of easements or rights-of-way ● policies indicating that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons ● policies indicating that the creation of new residential lots in prime agricultural areas shall not be permitted except for a residence surplus to a farm operation 	<ul style="list-style-type: none"> ● Not applicable since these lands are planned for future urban development ✘ Official Plan does not contain policies lot adjustments; applicable only to existing agricultural development annexed from lands formerly in Sandwich South ● Not applicable since these lands formerly of Sandwich South were annexed for future urban development 	<ul style="list-style-type: none"> ● No change ➤ Official Plan to include policies applicable only to existing agricultural lands ● No change

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
2.3.5 Conditions for Removal of Land from Prime Agricultural Areas	<ul style="list-style-type: none"> ● policies indicating that lands may only be excluded from prime agricultural areas for: <ul style="list-style-type: none"> • expansion of or identification of settlement areas as per PPS policy 1.1.3.9 • extraction of minerals, petroleum resources and mineral aggregate resources as per PPS policies 2.4 and 2.5 • limited non-residential uses provided that the land is not a specialty crop area, there is a demonstrated need for the land as per PPS policy 1.1.2, there are no reasonable alternative locations which avoid prime agricultural areas and there are no reasonable alternative locations on lower capability lands within the prime agricultural areas ● policies indicating that impacts from any new or expanding non-agricultural use on surrounding agricultural operations and lands should be mitigated to the extent possible 	<ul style="list-style-type: none"> ● Not applicable since these lands formerly in Sandwich South were annexed for future urban development ● Not applicable 	<ul style="list-style-type: none"> ● Not applicable ● Not applicable
<p>2.4 MINERALS AND PETROLEUM</p> <p>2.4.1 Minerals and Petroleum Resource Protection</p>	<ul style="list-style-type: none"> ● policy stating that minerals and petroleum resources will be protected for the long term 	<ul style="list-style-type: none"> ✓ Sec. 5.4.3 protects mineral resources ✗ The OP does not reference petroleum resources 	<ul style="list-style-type: none"> ● No change ➤ If applicable, petroleum resource policies incorporated into the OP

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
2.4.2 Protection of Long Term Resource Supply	<ul style="list-style-type: none"> • policies protecting mineral mining operations and petroleum resource operations from development and activities that would preclude or hinder their expansion or continued use • policies protecting mineral mining operations and petroleum resource operations from development and activities which would be incompatible for reasons of public health, public safety or environmental impact • policies addressing conditions under which development which would preclude or hinder the establishment of new operations or access to resources would be permitted in areas adjacent to or in known mineral deposits or known petroleum resources and in significant areas of mineral potential and significant areas of petroleum potential: <ul style="list-style-type: none"> • resource use is not feasible; or • the proposed use serves a greater long term; and • issues of public health, public safety and environmental impact are addressed 	<ul style="list-style-type: none"> ✓ Sec. 5.4.3 protects mineral resources ✗ Sec. 5.4.3 does not address “public health, public safety or environmental impact” ✓ Sec. 5.4.3 contains criteria for addressing conditions under which development would be permitted on mineral resource areas ✗ The OP does not reference petroleum resources 	<ul style="list-style-type: none"> • No change ➤ OP to include policies addressing “public health, public safety or environmental impact” • No change ➤ if applicable, petroleum resource policies be incorporated into the OP addressing activities precluding or hindering use; public health, safety, etc.; and, criteria for addressing conditions under which development would be permitted on petroleum resource areas
2.4.3 Rehabilitation of Mineral and Petroleum Resource Lands	<ul style="list-style-type: none"> • policies requiring rehabilitation to accommodate subsequent land uses after extraction and other related activities have ceased 	<ul style="list-style-type: none"> ✓ Sec. 5.4.3 contains a policy regarding rehabilitation 	<ul style="list-style-type: none"> • No change
2.4.4 Extraction in Prime Agricultural Areas	<ul style="list-style-type: none"> • policies permitting extraction of minerals and petroleum resources in prime agricultural areas subject to rehabilitation 	<ul style="list-style-type: none"> • Not applicable 	<ul style="list-style-type: none"> • No change
<p>2.5 MINERAL AGGREGATE RESOURCES</p> <p>2.5.1 Mineral Aggregate Resources Protection</p>	<ul style="list-style-type: none"> • policy stating that mineral aggregate resources will be protected for the long term 	<ul style="list-style-type: none"> ✓ Sec. 5.4.2 protects aggregate resources 	<ul style="list-style-type: none"> • No change

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>2.5.2 Protection of Long Term Resource Supply</p>	<ul style="list-style-type: none"> ● policies supporting the protection of mineral aggregate resources to facilitate their availability to supply markets needs for aggregate ● policies addressing extraction being undertaken in a manner which minimizes social and environmental impacts ● policies promoting the conservation of mineral aggregate resources by making provision for their recovery ● policies protecting mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use or would be incompatible due to public health, public safety or environmental impact ● policies permitting existing aggregate operations to continue without requiring an official plan amendment, rezoning or development permit under the <i>Planning Act</i> ● policies indicating that when a license for extraction or operation ceases to exist, policy 2.5.2.5 of the PPS continues to apply ● policies identifying the conditions under which development and activities which would preclude or hinder the establishment of new operations or access to the resources will be permitted: <ul style="list-style-type: none"> • resource use is not feasible ; or • the proposed use or development serves a greater long-term public interest; and • issues of public health, public safety and environmental impact are addressed 	<p>✘ Sec. 5.4.2 contains some policies but does not address the full scope of policies under the PPS</p>	<p>➤ OP to include policies addressing full scope of PPS policies</p>

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
2.5.3 Rehabilitation	<ul style="list-style-type: none"> ● policies requiring progressive and final rehabilitation of sites to accommodate subsequent land uses, promote land use compatibility and recognize the interim nature of extraction ● policies requiring final rehabilitation to take surrounding land use and approved land use designations into consideration 	<ul style="list-style-type: none"> ✗ Sec. 5.4.2 does not address progressive and final rehabilitation of sites ✗ Sec. 5.4.2 generally refers to, but does not specifically address final rehabilitation taking into account surrounding land use and approved land use designations 	<ul style="list-style-type: none"> ➤ OP to include policies addressing progressive and final rehabilitation of sites ➤ OP to include policies addressing rehabilitation taking into account surrounding land use and approved land use designations
2.5.4 Extraction in Prime Agricultural Areas	<ul style="list-style-type: none"> ● policies permitting mineral aggregate extraction as an interim use on prime agricultural land provided that rehabilitation of the site is carried out so that substantially the same areas and same average soil quality for agriculture are restored ● policies addressing the conditions under which complete rehabilitation of prime agricultural lands is not required: <ul style="list-style-type: none"> • there is a substantial quantity of mineral aggregate resources below the water table warranting extraction • restoration to pre-extraction agricultural capability is unfeasible due to depth of planned extraction • no other alternatives are deemed suitable • rehabilitation in remaining areas will be maximized 	<ul style="list-style-type: none"> ● Not applicable 	<ul style="list-style-type: none"> ● No change
2.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants	<ul style="list-style-type: none"> ● policies permitting wayside pits and quarries, portable asphalt plants and portable concrete plants without requiring an official plan amendment, rezoning or development permit under the <i>Planning Act</i> in all areas except those areas of existing development or environmental sensitivity where extraction and associated activities would be incompatible 	<ul style="list-style-type: none"> ✓ Sec. 5.4.4 generally conforms to the PPS 	<ul style="list-style-type: none"> ● No change; some updating and harmonization of terms
<p>2.6 CULTURAL HERITAGE AND ARCHAEOLOGY</p> <p>2.6.1 Conservation of Built Heritage Resources and Cultural Heritage Landscapes</p>	<ul style="list-style-type: none"> ● policies addressing the conservation of significant built heritage resources and cultural heritage landscapes 	<ul style="list-style-type: none"> ✓ Sec. 9.0 Heritage Conservation contains policies addressing built and cultural heritage resources 	<ul style="list-style-type: none"> ● No change; some updating and harmonization of terms

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 2 - WISE USE AND MANAGEMENT OF RESOURCES

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
2.6.2 Development and Site Alteration on Heritage Properties	<ul style="list-style-type: none"> ● policies indicating that development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation or by preservation on the site ● policies indicating that where significant archaeological resources must be preserved on-site only development and site alteration which maintains the heritage integrity of the site is permitted 	✓ Sec. 9.3.4.1 Heritage Resources contains policies addressing development and site alteration on heritage properties or sites with significant archaeological resources	● No change; some updating and harmonization of terms
2.6.3 Development and Site Alteration on Adjacent Properties	<ul style="list-style-type: none"> ● policies indicating that development and site alteration may be permitted on adjacent lands to a protected heritage property where it has been demonstrated that the heritage attributes of the protected property will be conserved ● policies indicating that mitigative measures and/or alternative development approaches may be required to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration 	✓ Sec. 9.3.7.1 contains urban design policies which address heritage attributes of development adjacent to protected properties	● No change; some updating and harmonization of terms

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 3 - PROTECTING PUBLIC HEALTH AND SAFETY

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
<p>3.1 NATURAL HAZARDS</p> <p>3.1.1 Hazardous Lands and Hazardous Sites</p> <p style="text-align: center;"><u>PPS ISSUES</u></p> <p>● UPDATING OF THE FLOODPLAIN POLICIES TO ADDRESS THE PPS</p>	<ul style="list-style-type: none"> ● policies directing development outside of: <ul style="list-style-type: none"> • the hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards • the hazardous lands adjacent to river, stream and in-land lake systems which are impacted by flooding and/or erosion hazards • hazardous sites 	<p>✓ Sec.5.4.6 contain policies directing development outside of lands impacted by flooding hazards and/or erosion hazards</p>	<ul style="list-style-type: none"> ● No change; some minor updating and harmonization of terms
<p>3.1.2 Areas where Development and Site Alteration will not be Permitted</p>	<ul style="list-style-type: none"> ● policies and designations indicating where development and site alteration is not permitted: <ul style="list-style-type: none"> • dynamic beach standard • defined portions of the one hundred year flood level along connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers) • areas that would be rendered inaccessible during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard • a floodway regardless of whether the area of inundation contains high points of land not subject to flooding 	<p>✗ Sec. 5.4.7 does not contain policies specifically indicating where development and site alteration <i>is not</i> permitted</p>	<ul style="list-style-type: none"> ➤ OP to state where development and site alteration is not permitted
<p>3.1.3 Conditions under which Development and Site Alteration may be Permitted in Hazardous Lands</p>	<ul style="list-style-type: none"> ● policies indicating that development and site alteration may be permitted in certain areas identified in policy 3.1.2 in the PPS: <ul style="list-style-type: none"> • where a Special Policy Area has been approved by MMAH and MNR • where development is limited to uses which by their nature must locate within the floodway ie. flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flow 	<p>✗ Sec. 5.4.6 and Sec. 5.4.7 do not contain policies addressing the Special Policy Area concept for floodplains</p>	<ul style="list-style-type: none"> ➤ Determine if there is a need/a candidate site for the Special Policy Area designation ➤ If deemed appropriate, liaise with the approval agencies regarding the process and required technical work to get approval for the Special Policy Area designation and policies in the OP; provide interim policies for development until a Special Policy Area for development within the floodplain is established

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 3 - PROTECTING PUBLIC HEALTH AND SAFETY

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
3.1.4 Uses that are Not Permitted in Hazardous Lands and Hazardous Sites	<ul style="list-style-type: none"> • policies indicating that the following uses are not permitted to locate in hazardous lands and hazardous sites: <ul style="list-style-type: none"> • an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools • an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations • uses associated with the disposal, manufacture, treatment or storage of hazardous substances 	✓ Sec. 5.4.6.8 to Sec. 5.4.6.10 identifies the uses not permitted to locate in hazardous lands and hazardous sites as per the PPS	• No change
3.1.5 Development and Site Alteration may be Permitted in the Flood Fringe	<ul style="list-style-type: none"> • policies indicating that where a two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation 	✓ Sec. 5.4.6 contain policies addressing the two zone concept	• No change
3.1.6 Conditions under which Development and Site Alteration may be Permitted in Hazardous Lands where Effects and Risk are Minor	<ul style="list-style-type: none"> • policies indicating that in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, development and site alteration may be permitted by demonstrating: <ul style="list-style-type: none"> • development and site alteration is carried out in accordance with floodproofing standards, protection works standards and access standards • safe access during flooding, erosion and other emergencies • new hazards are not created and existing hazards are not aggravated • no adverse environmental impacts will result 	✗ Sec. 5.4.7 does not address all criteria permitting minor development and site alteration	➤ OP to include policies addressing the PPS regarding conditions/criteria for permitting development on hazardous lands and hazardous sites
3.2 HUMAN-MADE HAZARDS 3.2.1 Development on or adjacent to Hazardous Sites	<ul style="list-style-type: none"> • policies indicating that development will only be permitted on, abutting or adjacent to lands affected by mine hazards, oil, gas and salt hazards or former mineral mining operations, mineral aggregate operations or petroleum resource operations if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed 	✗ OP addresses salt or salt solution mining issues (and development adjacent to waste disposal sites), but does not address other issues to be investigated/mitigated for development of adjacent lands	➤ OP to include policies address full range of issues to be investigated/mitigated for development of adjacent lands

CITY OF WINDSOR OFFICIAL PLAN POLICY AUDIT

TO IDENTIFY CONSISTENCY AND FOLLOW-UP ACTIONS TO ADDRESS PROVINCIAL POLICY STATEMENT

POLICY 3 - PROTECTING PUBLIC HEALTH AND SAFETY

PROVINCIAL POLICY STATEMENT	OFFICIAL PLAN POLICIES AND/OR DESIGNATIONS REQUIRED TO ADDRESS THE POLICY STATEMENT	CURRENT LEVEL OF CONSISTENCY BETWEEN THE OFFICIAL PLAN AND THE POLICY STATEMENT	REQUIRED FOLLOW-UP ACTIONS TO ADDRESS THE POLICY STATEMENT
3.2.2 Contaminated Sites	<ul style="list-style-type: none"> • policies indicating that contaminated sites shall be remediated prior to any activity on the site associated with the proposed use 	<ul style="list-style-type: none"> ✓ Sec. 5.4.8 includes policies for rehabilitation of contaminated sites in advance of (re)development 	<ul style="list-style-type: none"> • No change