



*Town of/
Ville de Lakeshore
Official Plan*

"A progressive Town of healthy, integrated communities."



*Approved by the
Ontario Municipal Board
November 22, 2010*

D14-09-08017



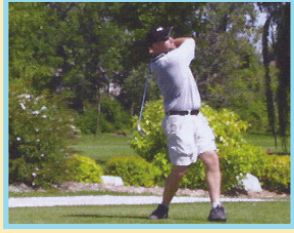


TABLE OF CONTENTS

1.0	INTRODUCTION	1-1
1.1	BASIS FOR THE OFFICIAL PLAN	1-2
1.2	ORGANIZATION OF THE OFFICIAL PLAN.....	1-4
2.0	CHARTING NEW DIRECTIONS	2-1
2.1	PURPOSE OF THE OFFICIAL PLAN.....	2-1
2.2	TOWN'S VISION & MISSION STATEMENT	2-2
2.3	PLANNING OBJECTIVES & STRATEGIES	2-3
2.3.1	<i>Is Economically Progressive and Successful (Economy)</i>	2-3
2.3.2	<i>Is On the Move (Transportation)</i>	2-4
2.3.3	<i>Has Character and a Sense of Place (Community)</i>	2-5
2.3.4	<i>Is Responsible, Accountable and Influential (Administration)</i>	2-5
2.3.5	<i>Is Well Served and Well Equipped (Servicing and Facilities)</i>	2-6
2.3.6	<i>Is Naturally Inviting and Environmentally Aware (Environment)</i>	2-7
3.0	MANAGING CHANGE – WHERE & HOW TO GROW	3-1
3.1	INTRODUCTION	3-1
3.2	GROWTH PROJECTIONS	3-2
3.3	COMMUNITY STRUCTURE	3-4
3.3.1	<i>3.3.1 Urban Areas</i>	3-5
3.3.2	<i>Employment Areas</i>	3-7
3.3.2.1	<i>Employment Lands Strategy</i>	3-11
3.3.3	<i>Hamlet Area</i>	3-12
3.3.4	<i>Waterfront Area</i>	3-14
3.3.5	<i>Urban Fringe Area</i>	3-15
3.3.6	<i>Primary Node</i>	3-17
3.3.6.1	<i>Belle River Historic Downtown</i>	3-18
3.3.6.2	<i>Wallace Woods New Primary Node</i>	3-19
3.3.7	<i>Secondary Node</i>	3-19
3.3.8	<i>Mixed Use Nodes</i>	3-20
3.3.8.1	<i>Lakeshore West Mixed Use Node</i>	3-22
3.3.9	<i>County Road 22 Mixed Use Corridor</i>	3-22
3.3.10	<i>County Road 42 Regional Corridor</i>	3-24
3.3.11	<i>Agricultural Area</i>	3-24
3.3.12	<i>Urban Reserve Area</i>	3-25
3.4	SPECIAL PLANNING AREAS	3-27
3.4.1	<i>Emeryville Special Planning Area</i>	3-27
3.4.2	<i>Patillo/Advance Special Planning Area</i>	3-28
3.4.3	<i>County Road 22 Corridor Special Planning Area</i>	3-29
3.4.4	<i>Wallace Woods Special Planning Area</i>	3-29
3.4.5	<i>Lakeshore West/Manning Road Special Planning Area</i>	3-31
3.4.6	<i>Lighthouse Cove Special Planning Area</i>	3-31
4.0	BUILDING HEALTHY COMMUNITIES	4-1
4.1	INTRODUCTION	4-1
4.2	BUILT ENVIRONMENT	4-2
4.2.1	<i>Community Design</i>	4-2
4.2.2	<i>Community Improvement</i>	4-4
4.2.3	<i>Cultural Heritage</i>	4-7
4.2.3.1	<i>Cultural Heritage Resources</i>	4-7
4.2.3.2	<i>Heritage Committee</i>	4-8
4.2.3.3	<i>Heritage Properties or Districts</i>	4-9

TABLE OF CONTENTS

4.2.3.4	Archaeological Resources	4-9
4.2.3.5	Development Policies	4-10
4.2.4	<i>Energy Conservation & Generation</i>	4-11
4.2.4.1	Renewable Energy Systems	4-12
4.2.4.2	Wind Energy Conversion Systems	4-13
4.2.4.3	Coordination & Consultation	4-15
4.2.4.4	Information Requirements	4-15
4.3	HUMAN ENVIRONMENT	4-18
4.3.1	<i>Housing</i>	4-18
4.3.1.1	Supply of Lands for Housing	4-18
4.3.1.2	Residential Intensification	4-19
4.3.1.3	Affordable Housing	4-21
4.3.1.4	Special Needs Housing	4-22
4.3.1.5	Special Housing Forms	4-24
4.3.1.6	Accessory Residential Dwellings	4-25
4.3.1.7	Garden Suites	4-25
4.3.1.8	Mobile Homes	4-26
4.3.2	<i>Community Services & Facilities</i>	4-26
4.3.3	<i>Recreation</i>	4-27
4.3.3.1	Parks & Open Space	4-28
4.3.3.2	Linked Open Space & Natural Heritage System	4-34
4.3.3.3	Parkland Dedication	4-35
4.4	ECONOMIC ENVIRONMENT	4-37
4.4.1	<i>Locations of Economic Activity</i>	4-37
4.4.2	<i>Tourism</i>	4-38
4.4.3	<i>Commercial Structure</i>	4-39
4.4.3.1	Retail Market Impact Study	4-40
5.0	PROTECTING NATURAL RESOURCE ASSETS	5-1
5.1	WATER RESOURCES	5-2
5.1.1	<i>Aquifer & Groundwater Protection</i>	5-3
5.1.2	<i>Watercourses</i>	5-4
5.2	NATURAL HERITAGE FEATURES & FUNCTIONS	5-6
5.2.1	<i>Provincially Significant Wetlands</i>	5-6
5.2.1.1	Candidate Provincially Significant Wetlands	5-7
5.2.2	<i>Significant Habitat of Endangered Species & Threatened Species</i>	5-8
5.2.3	<i>Fish Habitat</i>	5-8
5.2.4	<i>Other Natural Heritage Features & Functions</i>	5-10
5.2.5	<i>Natural Heritage System Strategy</i>	5-13
5.2.6	<i>Environmental Impact Assessments</i>	5-14
5.2.6.1	Environmental Impact Assessment Policies	5-16
5.3	MINERAL, PETROLEUM & MINERAL AGGREGATE RESOURCES	5-18
5.3.1	<i>Mineral & Petroleum Resources</i>	5-18
5.3.2	<i>Mineral Aggregate Resources</i>	5-19
5.3.3	<i>Wayside Pits & Quarries, Portable Asphalt Plants & Portable Concrete Plants</i>	5-21
5.4	HAZARDS	5-23
5.4.1	<i>Natural Hazards</i>	5-23
5.4.1.1	Limit of the Regulated Area (LORA)	5-24
5.4.1.2	Inland Floodplain Development Control Area	5-25
5.4.1.3	Lake St. Clair Shoreline Floodprone Area	5-26
5.4.1.4	Other Hazards (Unstable Soils & Steep Slopes)	5-29
5.4.2	<i>Human-Made Hazards</i>	5-30
5.4.2.1	Potentially Contaminated Sites	5-30
5.4.2.2	Air Quality	5-32
5.4.2.3	Noise, Vibration, Odour & Other Contaminants	5-33
5.4.2.4	Waste Disposal Sites	5-34

6.0	LAND USE	6-1
6.1	INTRODUCTION	6-1
6.2	AGRICULTURAL DESIGNATION.....	6-2
	6.2.1 <i>Permitted Uses</i>	6-2
	6.2.2 <i>Land Use Policies</i>	6-4
	6.2.3 <i>Agricultural Lot Creation & Lot Adjustment</i>	6-5
6.3	HAMLET DESIGNATION	6-7
	6.3.1 <i>Permitted Uses</i>	6-7
	6.3.2 <i>Land Use Policies</i>	6-7
	6.3.3 <i>Site-Specific Policy Areas</i>	6-8
	6.3.3.1 Rochester Place/Deerbrook Recreationally Based Residential Community	6-8
6.4	WATERFRONT RESIDENTIAL DESIGNATION	6-10
	6.4.1 <i>Permitted Uses</i>	6-10
	6.4.2 <i>Land Use Policies</i>	6-10
6.5	URBAN FRINGE DESIGNATION.....	6-12
	6.5.1 <i>Permitted Uses</i>	6-12
	6.5.2 <i>Land Use Policies</i>	6-12
	6.5.3 <i>Site-Specific Policy Areas</i>	6-13
	6.5.3.1 Essex Fringe Recreational/Commercial Area.....	6-13
6.6	RESIDENTIAL DESIGNATION	6-14
	6.6.1 <i>Permitted Uses</i>	6-14
	6.6.2 <i>Land Use Policies</i>	6-16
6.7	SERVICE COMMERCIAL DESIGNATION.....	6-18
	6.7.1 <i>Permitted Uses</i>	6-18
	6.7.2 <i>Land Use Policies</i>	6-18
6.8	RECREATIONAL COMMERCIAL DESIGNATION.....	6-20
	6.8.1 <i>Permitted Uses</i>	6-20
	6.8.2 <i>Land Use Policies</i>	6-21
6.9	MIXED USE DESIGNATION	6-22
	6.9.1 <i>Permitted Uses</i>	6-22
	6.9.2 <i>Land Use Policies</i>	6-25
	6.9.3 <i>Site-Specific Policy Areas</i>	6-25
	6.9.3.1 Lakeshore West Mixed Use Node	6-25
6.10	CENTRAL AREA DESIGNATION	6-26
	6.10.1 <i>Permitted Uses</i>	6-26
	6.10.2 <i>Land Use Policies</i>	6-29
6.11	EMPLOYMENT DESIGNATION.....	6-30
	6.11.1 <i>Permitted Uses</i>	6-30
	6.11.2 <i>Land Use Policies</i>	6-31
	6.11.3 <i>Site-Specific Policy Areas</i>	6-32
	6.11.3.1 Comber Employment Area	6-32
	6.11.3.2 Maidstone Rail-Related Employment Area.....	6-34
6.12	MAJOR INSTITUTIONAL DESIGNATION	6-35
	6.12.1 <i>Permitted Uses</i>	6-35
	6.12.2 <i>Land Use Policies</i>	6-35
	6.12.3 <i>Site-Specific Policy Areas</i>	6-36
	6.12.3.1 Wall's Historical Museum.....	6-36
6.13	NATURAL CONSERVATION DESIGNATION	6-38
	6.13.1 <i>Permitted Uses</i>	6-38
	6.13.2 <i>Land Use Policies</i>	6-38
6.14	PARKS AND OPEN SPACE DESIGNATION	6-40
	6.14.1 <i>Permitted Uses</i>	6-40
	6.14.2 <i>Land Use Policies</i>	6-40
6.15	URBAN RESERVE DESIGNATION.....	6-41
	6.15.1 <i>Permitted Uses</i>	6-41
	6.15.2 <i>Land Use Policies</i>	6-41

TABLE OF CONTENTS

7.0	SERVICING GROWTH & CHANGE	7-1
7.1	INTRODUCTION.....	7-1
7.2	TRANSPORTATION SYSTEM.....	7-2
	7.2.1 <i>Movement of Goods & People</i>	7-2
	7.2.2 <i>Road System</i>	7-3
	7.2.2.1 Hierarchy & Classification of Roads.....	7-4
	7.2.2.2 Parking.....	7-13
	7.2.3 <i>Public Transit Systems</i>	7-14
	7.2.4 <i>Walking, Cycling & Trail Systems</i>	7-15
	7.2.5 <i>Rail Corridors</i>	7-16
	7.2.6 <i>Marine Systems</i>	7-17
7.3	SEWAGE & WATER SYSTEMS.....	7-18
	7.3.1 <i>Servicing Hierarchy</i>	7-18
	7.3.1.1 Municipal Water & Sewage Services.....	7-19
	7.3.1.2 Municipal Water & Private Sewage Services.....	7-20
	7.3.1.3 Private Water & Sewage Services.....	7-22
	7.3.2 <i>Servicing Allocation & Phasing</i>	7-23
	7.3.3 <i>Stormwater Management</i>	7-24
7.4	WASTE MANAGEMENT.....	7-27
7.5	UTILITIES & TELECOMMUNICATIONS.....	7-28
7.6	CAPITAL & PUBLIC WORKS.....	7-30
8.0	IMPLEMENTING & MONITORING THE PLAN	8-1
8.1	THE PLANNING PERIOD.....	8-2
8.2	OFFICIAL PLAN MONITORING & REVIEW.....	8-3
	8.2.1 <i>Amendments to the Plan</i>	8-4
8.3	PLANNING ADMINISTRATION.....	8-6
	8.3.1 <i>Secondary Plans</i>	8-6
	8.3.1.1 Secondary Plan Preparation.....	8-6
	8.3.1.2 Secondary Plan Contents.....	8-7
	8.3.1.3 Secondary Plan Supporting Requirements.....	8-7
	8.3.2 <i>Zoning By-law</i>	8-8
	8.3.2.1 Holding Zones.....	8-9
	8.3.2.2 Temporary Use By-laws.....	8-9
	8.3.2.3 Interim Control By-laws.....	8-10
	8.3.2.4 Bonus/Density Increases.....	8-10
	8.3.3 <i>Draft Plan Approval (Subdivisions and Condominium)</i>	8-11
	8.3.4 <i>Site Plan Control</i>	8-13
	8.3.5 <i>Committee of Adjustment</i>	8-13
	8.3.5.1 Minor Variances.....	8-13
	8.3.5.2 Consents.....	8-14
	8.3.6 <i>Existing Uses</i>	8-16
	8.3.7 <i>Non-Conforming Uses</i>	8-17
	8.3.8 <i>Non-Complying Uses</i>	8-18
	8.3.9 <i>Land Acquisition</i>	8-18
	8.3.10 <i>Property Standards</i>	8-19
	8.3.11 <i>Supporting Studies, Information and Materials</i>	8-19
8.4	PUBLIC CONSULTATION & PARTICIPATION.....	8-22
8.5	CROSS-JURISDICTIONAL COORDINATION.....	8-23
8.6	FINANCIAL MANAGEMENT.....	8-24
8.7	INTERPRETATION.....	8-25
	8.7.1 <i>Provincial Policy Statement</i>	8-27

1.0 INTRODUCTION

The Town of Lakeshore Official Plan (the Plan) is an essential tool to manage future growth, development and change in the Town. This Plan provides a blueprint for growth over the 20-year planning period by incorporating a growth management framework which ensures orderly and efficient development patterns by building sustainable and complete communities while protecting and enhancing the Town's rich natural and agricultural resources. It ensures that the planning framework and tools are in place to make the Town of Lakeshore a healthy and desirable place to live, work and enjoy recreational opportunities.

The Town of Lakeshore was established on January 1, 1999, following the amalgamation of the Townships of Lakeshore (Maidstone Township and Town of Belle River amalgamated on January 1, 1998), Rochester, Tilbury North and Tilbury West. The Town initiated the process to prepare a new Official Plan in early 2006. It consolidates and replaces the five Official Plans of the former municipalities to ensure consistent and equitable planning decisions across the Town, and addresses the unique planning issues facing the Town and its communities. The Plan implements the direction of the Provincial Policy Statement, 2005, provides guidance to Council and the Town in consideration of their responsibilities, and provides direction and certainty to the Town's residents and businesses.

1.1 Basis for the Official Plan

The basis for the Official Plan is as follows:

- a) This Plan has been prepared in accordance with the *Planning Act*, which prescribes the contents of an Official Plan and authorizes the Town to prepare an Official Plan which establishes the goals, objectives and policies to manage and direct physical change and the effects on the social, economic and natural environments of the Town.
- b) This Plan implements the policies of the Provincial Policy Statement, 2005, and has been developed within the context of Provincial policies to support the creation of strong communities, the wise use and management of resources and the protection of public health and safety.
- c) This Plan is based on a 20-year planning horizon to the year 2031 as required by the Provincial Policy Statement, 2005. However, in accordance with the *Planning Act*, the Town will review the Plan at a minimum of 5 year intervals to ensure the Plan achieves the goals and objectives of the Town, and determine if amendments are required.
- d) This Plan is based on the strategic directions identified through the Community Strategic Plan, which establishes broad policies to guide municipal actions toward achieving the Town's Vision and Mission Statement, as outlined in Section 2.0. The strategic directions form the basis for the implementing policy framework of this Plan.
- e) This Plan is based on a Population, Household and Employment Forecast Study, April 2006 (Growth Study) which provides the basis for development and growth management policies by forecasting residential and employment growth and identifying the required land needs over the planning period.
- f) This Plan is supported by various background and Master Plan Studies related to growth management including: water and wastewater systems; transportation systems, economic development, community services and facilities infrastructure and the natural environment. The comprehensive nature and generally concurrent preparation of these Master Plan Studies has resulted in the comprehensive land use and growth management framework embodied in this Plan.
- g) This Plan and supporting Master Plan Studies have been prepared through a consultative public process involving the community, public agencies, Town administration and staff, Town Council, the County of Essex and Provincial agencies.
- h) This Plan, including the Growth Study and various Master Plan Studies satisfies the Provincial Policy Statement, 2005 requirements for a comprehensive review by addressing the requirements and planning analysis of PPS Section 1.1.3.9. This comprehensive review includes a review of population and growth projections, consideration of alternative directions for growth, and the identification of preferred

planning directions to accommodate projected growth both through infill and intensification and through Urban Area expansion.

1.2 Organization of the Official Plan

This Plan functions as both a broad growth management and local land use policy plan to guide change. The Plan deals with a wide range of environments including urban areas, settlement areas, agricultural areas, waterfront residential areas, strategic nodes and corridors, the Lake St. Clair shoreline and natural resources, and heritage features. This Plan has several interrelated components, which must be read together in order to determine those components and policies that have an impact on land within the Town of Lakeshore.

The goals, objectives, and policies of the Plan represent a balanced approach to planning, designed to promote the vital link between community, economy and environment.

The Plan provides a policy framework to manage the growth and development of the Town to ensure a sustainable living environment that meets the needs of the community over a 20-year planning horizon. It is recognized, in the policies of this Plan, however, that some planning activities, such as community infrastructure decisions, require a much longer view than the 20-year horizon permitted by Provincial policy. The Plan promotes the logical, efficient and cost effective distribution of land uses and services to ensure the long-term health, and the economic and environmental well-being of the Town.

All sections and schedules of the Plan, excluding any Appendices, constitute the Official Plan for the Town of Lakeshore. The Plan is organized into the following sections:

- Section 1: **Introduction** - contains context to the Plan and provides the basis upon which it was prepared, but does not provide policy guidance or direction.
- Section 2: **Charting New Directions** - describes the purpose and long-term goals and objectives for the Town, based on the Town's Community Strategic Plan. The goals and objectives provide the framework within which the policies of the Plan have been prepared. The goals and objectives should be read to understand the intent behind the policies.
- Section 3: **Managing Change – Where & How to Grow** - provides detailed policies related to the community structure, the planned function of the community, and growth management. This Section provides guidance for the preparation of Special Planning Studies or Secondary Plans, which will provide more detailed growth and development policies for Special Planning Areas within the Town. These Special Planning Studies or Secondary Plans will form part of the Official Plan and will be directly incorporated into this Plan through subsequent Amendments.
- Section 4: **Building Healthy Communities** - provides detailed policies related to the built environment (including community design, cultural heritage), the human environment (including housing and public services, parks and open space, and recreation), and economic development (including tourism, agriculture, natural resources, retail and employment/industrial policies).

- Section 5: **Protecting Natural Resource Assets** - provides polices related to natural environmental management and protection, watershed management, and natural and human hazards.
- Section 6: **Land Use** - provides the detailed land use designations and related policies.
- Section 7: **Servicing Growth & Change** - provides policies regarding networks, corridors and facilities that can be generally described as physical infrastructure. This Section discusses the water and sanitary sewage systems, the transportation system, as well as other networks, corridors and facilities that help define the Town's physical structure.
- Section 8: **Implementing & Monitoring the Plan** - describes the mechanisms and processes to implement the policies of the Plan, and to measure the success of its policies.
- Schedules: **The Schedules** included at the end of the Plan form part of the Plan and describe the policies and enhance the understanding of the Plan. The Schedules include:
- Schedule "A": Community Structure
- Schedule "B", which includes:
- Schedule "B.1" Aquifer Intrinsic Susceptibility
 - Schedule "B.2" Natural Heritage Features
 - Schedule "B.3" Natural Resources and Human-Made Hazards
 - Schedule "B.4" Natural Hazards and Flood Prone Areas
- Schedule "C", which includes:
- Schedule "C.1" Land Use (Rural Area)
 - Schedule "C.2" Land Use (Belle River)
 - Schedule "C.3" Land Use (Emeryville)
 - Schedule "C.4" Land Use (Russell Woods)
 - Schedule "C.5" Land Use (Wallace Woods)
 - Schedule "C.6" Land Use (Patillo/Advance)
 - Schedule "C.7" Land Use (Amy Croft/Manning Road)
 - Schedule "C.8" Land Use (Stoney Point/Pointe-Aux-Roches)
 - Schedule "C.9" Land Use (Lighthouse Cove)
 - Schedule "C.10" Land Use (Comber)
- Schedule "D", which includes:
- Schedule "D.1" Road Classification (Rural Area)
 - Schedule "D.2" Road Classification (Maidstone and Belle River Urban Areas)

2.0 CHARTING NEW DIRECTIONS

2.1 Purpose of the Official Plan

The Official Plan establishes the growth management and land use structure for the Town over the next 20 years to the year 2031. The Plan establishes the goals, objectives and policies to direct physical change and manage the effects on the social, economic and natural environments of the Town.

The purpose of the Official Plan is to:

- a) Provide an overall policy framework for the Town to manage growth in an efficient and sustainable manner that meets the Town's needs over the 20-year planning horizon.
- b) Establish a long-term growth management structure that provides guidance and policies for the Town to achieve its long-term goals and objectives.
- c) Establish clear policies and land use designations to provide certainty to the public and private sectors regarding future development.
- d) Provide guidance to Council in making their decisions regarding the future change and development of the Town.
- e) Promote the long-term financial viability of the Town.
- f) Implement the County of Essex Official Plan which provides a regional land use strategy and contains planning principles and policies to be implemented at the County and local levels.

2.2 Town's Vision & Mission Statement

The Town's Vision, Mission Statement and Planning Objectives and Strategies provide broad direction for the long-term planning and development of the Town. The Community Strategic Plan outlines the shared vision for the Town. The Town's Vision, Mission Statement and Planning Objectives were developed through a consultation process that involved input from the community, agencies, Town administration and staff, and Council, including a reflection and interpretation of the Provincial Policy Statement and the County of Essex Official Plan.

The planning framework and policies of this Plan are based on the Town's Vision, Mission Statement and Planning Objectives and Strategies, which are outlined in this Section.

The Town's Vision is to create:

"A progressive Town of healthy, integrated communities."

The Town's Mission Statement is:

"To nurture a unified Town that sees possibility, inspires innovation and realizes potential."

2.3 Planning Objectives & Strategies

The Community Strategic Plan identifies six Planning Objectives that have a relationship to land use planning and frame this Official Plan. From those Planning Objectives, there are a number of specific strategies that were used to derive the planning framework and specific policies of this Plan.

The six Planning Objectives will ensure that the Town of Lakeshore:

- *is economically progressive and successful (Economy);*
- *is on the move (Transportation);*
- *has character and sense of place (Community);*
- *is responsible, accountable and influential (Administration);*
- *is well served and well equipped (Servicing and Facilities); and*
- *is naturally inviting and environmentally aware (Environment).*

2.3.1 *Is Economically Progressive and Successful (Economy)*

“Lakeshore will ensure that our Town is economically progressive and successful.”

Balanced and diverse economic growth is required to ensure the long-term sustainability of the Town. The Official Plan will promote diverse employment and commercial activities and economic development through the following strategies:

- a) Maintain/strengthen the Town’s commercial structure in the form of Primary Nodes, and Mixed Use Nodes. Primary Nodes are envisaged as higher intensity, mixed use nodes which accommodate a range of community services, residential and higher order commercial uses. Mixed Use Nodes are envisaged as major concentrations of residential uses, community uses, commercial and business uses serving the Town and the region;
- b) Ensure the viability and long-term health of the Town’s main streets, such as County Road 22, Notre Dame Street in Belle River, Main Street in Comber, Tecumseh Road in Stoney Point, and Belle River Road in North/South Woodslee;
- c) Use the economic development opportunities associated with the Highway 401 exposure;
- d) Promote balanced and diversified economic opportunities;
- e) Promote value-added agricultural industries to ensure the viability of agricultural operations;
- f) Promote sustainable energy consumption and green technologies through energy conservation, building design, and other means;

- g) Direct employment and commercial growth to appropriate locations which provide sufficient existing and planned infrastructure;
- h) Promote the Town as a tourist and recreational destination. Support the preparation of a tourism strategy to investigate opportunities for accommodation development, in addition to opportunities for special events programming;
- i) Promote local and regional economic development opportunities, through the coordination of economic activities among municipalities, agencies, landowners and local groups; and
- j) Promote the interconnectedness of the Town's multiple communities through innovative and leading-edge telecommunications infrastructure.
- k) Strongly encourage the County to develop a County-wide Employment Lands Strategy, as part of the County's five-year review of the County Official Plan, to provide a plan and policies for the development of a regional serving Employment Area within the Highway 401 corridor, in the Town of Lakeshore; and
- l) Promote orderly growth through the implementation of appropriate development phasing policies to address the cyclical nature of the local, regional and provincial economies in order to allow the Town to appropriately respond to changing market demands.

2.3.2 *Is On the Move (Transportation)*

"Lakeshore will ensure that our Town is on the move." Well connected and efficient multi-modal transportation choices are important to connect the Town's communities and services, and facilitate the movement of people and goods. The Official Plan will promote the creation of an efficient multi-modal transportation system through the following strategies:

- a) Promote efficient and reliable modes of transportation;
- b) Promote sustainable development that supports public transit and is oriented to pedestrians;
- c) Promote transit connections within Lakeshore and the County, including a VIA rail station in Belle River, transit connections to the City of Windsor and transit links between Primary Nodes and the various communities;
- d) Improve the movement of goods and people, including improvements to County Roads 22 and 42, and improved connectivity between residential communities;
- e) Strongly encourage the County to develop a regional plan and policy directing heavy industrial uses, manufacturing and logistics to Highway 401 locations to avoid land use

conflicts and take advantage of the inter-regional attributes and international border crossings accessed from Highway 401;

- f) Provide a framework for consistent road classifications and development standards; and
- g) Improve and promote a connected trails and pathways system through appropriate land acquisition and securement strategies.

2.3.3 Has Character and a Sense of Place (Community)

“Lakeshore will ensure that our Town has character and a sense of place.” Growth must be managed appropriately to create a sense of place and overall community belonging while maintaining and enhancing unique community characteristics. The Town of Lakeshore will promote improved quality of life for Lakeshore residents by making the Town a desirable place to live, work and enjoy recreational opportunities. The Official Plan will enhance the Town’s character and sense of place through the following strategies:

- a) Promote community identity and preserve unique community characteristics;
- b) Provide appropriate community services and amenities;
- c) Establish a new Primary Node with a unique mix of amenities and experiences;
- d) Promote public access to the waterfront and enhanced recreational opportunities;
- e) Protect agricultural lands for a variety of agriculture and agriculture-related activities and limit non-agriculture related uses within agricultural areas;
- f) Promote the preservation of cultural and heritage features;
- g) Support the reinvestment in and rehabilitation of communities through the use of Community Improvement Plans; and
- h) Promote good community design appropriate to the local character.

2.3.4 Is Responsible, Accountable and Influential (Administration)

“Lakeshore will ensure that our Town is responsible, accountable and influential.” The Official Plan will provide a consistent planning framework and shared governance structure across the Town to ensure equitable and accountable planning decisions. The Official Plan will ensure that the Town is responsible, accountable and influential through the following strategies:

- a) Provide a consistent and equitable land use planning framework across the entire Town;

- b) Provide a clear blueprint to direct future growth and development in the Town;
- c) Provide guidance to Town staff and Council in their decision making;
- d) Ensure that land use planning decisions are directly related to municipal investments in services and infrastructure; and
- e) Promote the Town's involvement in cross-jurisdictional matters relating to planning issues facing the region.

2.3.5 Is Well Served and Well Equipped (Servicing and Facilities)

"Lakeshore will ensure that our Town is well served and well equipped." An integral component of the Official Plan is a comprehensive growth management strategy to ensure the development of sustainable and complete communities. Complete communities meet residents' immediate and future needs by providing access to a full range and mix of housing, a diverse mix of jobs, a range of community services and facilities, recreational and open space opportunities, and convenient transportation choices. The Growth Study projects significant population and employment growth for the Town over the planning period and identifies future land needs. It is prudent for the Town to plan accordingly to accommodate future growth in a manner that makes efficient use of existing land, resources and infrastructure in a cost effective manner. Settlement Area expansions within the Town are identified to accommodate future growth. The Official Plan will ensure that the Town is well served and well equipped through the following strategies:

- a) Accommodate growth in a manner that makes efficient use of land, resources and infrastructure;
- b) Provide equitable and appropriate growth opportunities for all areas of the Town;
- c) Provide a range of housing opportunities at appropriate densities to accommodate a diverse population;
- d) Promote reasonable and compatible infill and intensification in existing built-up areas;
- e) Avoid linear and inefficient development patterns that are not coordinated with planning for infrastructure;
- f) Minimize Settlement Area expansion on prime agricultural areas to the extent possible, and avoid Settlement Area expansion on specialty crop areas;
- g) Promote expanded recreational services, programs and facilities, including improved access to the waterfront;

- h) Promote healthy communities through opportunities for recreation and convenient access to community services and facilities;
- i) Strengthen the role of Primary Nodes and main streets as the commercial, cultural and social centres of the Town;
- j) Promote higher density mixed use development in the Wallace Woods New Primary Node and the Belle River Historic Downtown; and
- k) Promote the provision of infrastructure and services in an efficient and cost-effective manner to accommodate projected needs.

2.3.6 Is Naturally Inviting and Environmentally Aware (Environment)

“Lakeshore will ensure that our Town is naturally inviting and environmentally aware.”

The Town of Lakeshore accommodates a variety of significant natural features and environments that provide ecological, cultural and recreational benefits. It is the desire of the Town to not only protect and enhance significant natural features and environments, but also expand these natural systems. While there are Provincial requirements to protect certain natural features, there is also an opportunity to promote the creation of a linked system of Natural Heritage Features and functions. The new Official Plan will ensure that the Town is naturally inviting and environmentally aware through the following strategies:

- a) Protect Provincially Significant Wetlands and the significant habitat of endangered species and threatened species from development and site alteration;
- b) Promote the protection, preservation and expansion of woodlots through such practices as sustainable forestry, conservation agreements, the ecological gifts program, donations and preservation and enhancement programs;
- c) Direct development and site alteration away from provincially, regionally and locally significant natural features such as Areas of Natural and Scientific Interest (ANSI's), Environmentally Significant Areas (ESA's), Significant Woodlands, Significant Valleylands and Significant Wildlife Habitat;
- d) Direct development away from natural and human-made hazards and flood and erosion hazards;
- e) Protect groundwater quality within the requirements of Provincial legislation, through protection of groundwater sources and establishing natural buffers;
- f) Recognize and protect for the interconnectedness of natural heritage systems and their functions;
- g) Promote the creation, expansion and enhancement of linked natural heritage systems;

2.0 CHARTING NEW DIRECTIONS

- h) Promote 'green energy' sources and technologies that are sustainable and environmentally sound. The Town will investigate opportunities for green roofs, district energy sources and energy efficient buildings;
- i) Balance the agricultural preservation goals with the community desire to preserve, expand and enhance Natural Heritage Features;
- j) Protect mineral and aggregate resources for future extraction and subsequent rehabilitation measures;
- k) Support passive recreational and environmental education opportunities where appropriate; and
- l) Promote the redevelopment and remediation of brownfield sites and contaminated sites.

3.0 MANAGING CHANGE – WHERE & HOW TO GROW

3.1 Introduction

The Plan manages change by directing where and how the Town will accommodate population and employment growth. The growth and development policies ensure the protection of the County's agricultural and rural resources, conservation of Natural Heritage Features and the environment, and provide a basis for future planning activities in the Town. Schedule "A" and the related policies provide a growth management strategy that identifies the Town's fundamental community structure over the planning horizon and provides guidance for long-term growth.

3.2 Growth Projections

The Town of Lakeshore’s population, household and employment growth projections are based on a Population, Household and Employment Forecast Study which updated information on population, household and employment growth and associated land needs within the 20-year (2031) planning horizon.

The Town is forecast to experience strong population and employment growth over the planning horizon. Table 3.1 identifies the population, household and employment projections.

Table 3.1 – Population, Household and Employment Projections

	2006	2011	2016	2021	2026	2031
Population	33,245 ¹	40,630	46,380	52,030	57,205	59,095
Household	11,630 ¹	14,135	16,135	18,110	19,935	21,560
Employment	9,930 ²	12,750	15,780	18,080	20,565	21,325

¹ Source: 2006 Census of Canada

² Source: Pro-rated from Town of Lakeshore Population, Household and Employment Forecast Study, April 2006

The Town acknowledges that subsequent to the completion of the Population, Household and Employment Forecast Study and its adoption by the Town of Lakeshore, certain economic and other factors beyond the control of both the Town and the County have resulted in the short-term growth falling below the projected annual growth rate over the long-term. Nevertheless, the Town’s planning and growth management activities must ensure flexibility to accommodate growth, while avoiding inefficient and costly development patterns. In addition, the Town will monitor the population and employment forecasts in accordance with the policies of Section 8.2 of this Plan.

The following will be the policy of the Town:

- a) The Town will undertake planning and growth management activities on the basis of the population and employment projections in Table 3.1. However, until the County’s five year Official Plan review is completed and approved, and until the Town of Lakeshore Official Plan has been amended, if necessary, to conform to the population, household and employment projections and settlement area boundaries established in the County Official Plan, the Town will discourage any new applications for draft plans of subdivision and/or condominium, save and except for those lands noted in Section 3.3.12 c) and 3.4.4 f). The Town acknowledges that there is sufficient residential capacity within the existing draft and final approved plans of subdivision and condominium to satisfy the residential growth needs of the Town until 2016.
- b) It is recognized that the County’s five-year Official Plan review was ongoing at the time of approval of this Plan. The Town will work with the County of Essex to complete a County-wide growth forecast through the County’s five-year Official Plan review. The Town will work with the County and the local municipalities to ensure an appropriate growth projection allocation to the Town of Lakeshore. Following the approval of the County Official Plan, and at the time of a five-year review of this Plan, or through the

preparation of Secondary Plans that provide more detailed development policies for a particular Special Planning Area, the Town will undertake a review of its Settlement Area boundaries and phasing policies to ensure an appropriate amount of designated residential and employment lands are available within the Town.

3.3 Community Structure

The Town of Lakeshore is comprised of a large geographic community with multiple urban centres and hamlets resulting from municipal restructuring and the historic growth and settlement trends. The Official Plan recognizes the unique challenges faced by the Town, and promotes a comprehensive planning framework to appropriately manage future growth and development in multiple urban centres.

The community structure for the Town promotes the creation of complete communities, which meet immediate and future needs by providing access to a full range and mix of housing, diverse employment and shopping opportunities, a range of community services and facilities, recreational and open space opportunities, convenient transportation choices, and protection and enhancement of agricultural and natural resources.

This Section identifies community structure policy areas which provide guidance on the overall growth management and community structure for the Town. Schedule "A" illustrates the existing and planned community structure for the Town of Lakeshore over the planning horizon. Furthermore, there are several policy areas that overlay the community structure, including the Natural Heritage Features and hazard constraints described in Section 5.0, the detailed land use designations described in Section 6.0 and the servicing systems and transportation networks outlined in Section 7.0.

The growth management strategy and community structure for the Town is comprised of the following interrelated community structure policy areas:

- a) Urban Area;
- b) Employment Area;
- c) Hamlet Area;
- d) Waterfront Area;
- e) Urban Fringe Area;
- f) Primary Node;
- g) Secondary Node;
- h) Mixed Use Node;
- i) County Road 22 Mixed Use Corridor;
- j) County Road 42 Regional Corridor;
- k) Agricultural Area;
- l) Urban Reserve Area; and
- m) Special Planning Areas.

The Community Structure Plan provides a conceptual growth plan for the Town, including the identification of Special Planning Areas as discussed in Section 3.4. The Special Planning Areas identify both an immediate and long-term structure for the Town and identifies the unique planning considerations within the Planning Area.

This Plan recognizes the interrelationship between infrastructure planning and land use planning in managing and directing growth. The servicing hierarchy associated with the community structure is more explicitly outlined in Section 7.3 of this Plan.

Table 3.2 identifies the Settlement Areas in the Town which consist of: Urban Areas, Employment Areas, Hamlet Areas, Waterfront Areas, and Urban Fringe Areas to which the policies of the subsequent Sections apply. Settlement Areas are the focus of growth and provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. Settlement Areas promote the development of healthy and sustainable communities through compact urban forms, efficient use of infrastructure, and the provision of a range of land uses.

Table 3.2 – Settlement Areas

Community Structure Policy Area	Settlement Area
Urban Areas	Belle River Comber Lighthouse Cove Maidstone Stoney Point/Pointe-Aux-Roches
Employment Areas	Comber Highway 401/County Road 19 Maidstone Stoney Point/Pointe-Aux-Roches
Urban Reserve Areas	Maidstone
Hamlet Areas	North and South Woodslee Rochester Place/Deerbrook Ruscom St. Joachim Staples
Waterfront Areas	Includes various un-named Settlement Areas along the Lake St. Clair shoreline, Belle River Strip, Ruscom River Strip and Puce River Strip
Urban Fringe Areas	Essex Fringe Tilbury Fringe

3.3.1 3.3.1 Urban Areas

The Urban Areas within the Town function as focal points for growth, development and urban activities. The majority of projected population and community-related employment growth will be directed to the Belle River Urban Area and the Maidstone Urban Area, which includes lands within the Urban Area located west of Rourke Line Road to Manning Road and north of County Road 42, as defined on Schedule "A" of this Plan. The Urban Areas of Comber, Stoney Point/Pointe-Aux-Roches and Lighthouse Cove will experience moderate infilling and the development of existing vacant designated lands.

Urban Areas will be the focus of residential, commercial, non-industrial and community-related employment, office, institutional, entertainment, cultural, recreational and open space uses, but

not including heavy industrial uses. Urban Areas will support opportunities for infill, redevelopment and intensification through a mix and range of uses appropriate within the community context.

The Urban Areas will facilitate the creation of two higher intensity and mixed use Primary Nodes, including the Wallace Woods New Primary Node and the Belle River Historic Downtown (Section 3.3.6); in addition to a Mixed Use Node, referred to as the Lakeshore West Mixed Use Node (Section 3.3.8). These strategic nodes are connected along the County Road 22 Mixed Use Corridor (Section 3.3.9). Two Secondary Nodes are also identified, including the Stoney Point/Pointe-Aux-Roches Main Street Area and the Comber Main Street Area (Section 3.3.7).

The following policies will apply to the Urban Areas:

- a) The location of the Urban Areas are illustrated on Schedule “A”. Urban Areas will be the focus of growth and accommodate a full range and mix of residential, commercial, community-related employment, office, institutional, entertainment, cultural, recreational and open spaces uses, subject to servicing availability to meet the needs of the community over the course of the planning horizon.
- b) Within the Urban Areas, it is anticipated that there is sufficient land to accommodate the projected Urban Area growth and development within the 20-year planning horizon. The Town will identify and promote intensification, infill and redevelopment of designated and vacant and/or underutilized sites, and areas in transition in the Urban Area, taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs. Urban Areas will provide for full municipal sanitary sewage, stormwater management and potable water services, in accordance with Section 7.3, as well as an appropriate level of transportation infrastructure.
- c) It is anticipated that sufficient land has been designated to accommodate Urban Area growth and development, therefore, Urban Area expansions are not contemplated within the planning horizon. Expansions of an Urban Area will only be considered through a comprehensive review of this Plan. A comprehensive review is an Official Plan review which may be initiated at any time by the Town or an Official Plan Amendment which is initiated or adopted by the Town in accordance with the policies of Section 8.2.1, and where it has been demonstrated that:
 - i) sufficient opportunities for appropriate growth are not available through designated growth areas to accommodate projected needs over the planning horizon within the Town, or sufficient opportunities for growth are not available through designated growth areas to accommodate projected regional needs as a result of locational or economic considerations;
 - ii) opportunities for intensification, infill and redevelopment have been accounted for in evaluating alternatives to an Urban Area expansion, in accordance with the policies of Section 4.3.1.2 of this Plan;

- iii) the amount of land included within the expansion area is justified based upon the amount and nature of land available for development within the Town as a whole and the Urban Areas on an individual basis, the population projections for the Town, and the intended role of the Urban Area;
- iv) the proposed expansion is a logical extension of the Urban Area and will be serviced by full municipal sanitary sewage, stormwater management and potable water services, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
- v) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
- vi) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
- vii) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
- viii) a suitable plan for phasing, financing and constructing of the infrastructure for the expansion area is developed;
- ix) the lands do not comprise specialty crop areas;
- x) where agricultural areas are included, they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
- xi) the proposed expansion will not negatively impact cultural heritage resources;
- xii) the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Urban Areas on Agricultural Areas are mitigated to the extent feasible; and
- xiii) considers cross-jurisdictional issues.

3.3.2 Employment Areas

The Employment Areas promote a diverse economic base by maintaining a range and choice of suitable employment sites that support a range of employment and ancillary uses. The Employment Areas are the focus of major concentrations of industrial-related employment growth and development in the Town, which may include manufacturing, logistics operations, warehousing, distribution, offices and related industrial and business park uses, in addition to ancillary highway commercial uses serving the Employment Area. Employment Areas do not support institutional uses or destination-oriented commercial and shopping uses, such as Large Format Retail uses.

It is intended that the role of the existing Employment Areas within and adjacent to the Patillo/Advance Special Planning Area and the Comber Urban Area will continue. The Employment Area within Stoney Point/Pointe-Aux-Roches Settlement Area may develop subject to the appropriate provision of services.

The Town will strongly encourage the County to develop a County-wide Employment Lands Strategy, as part of the County's five-year review of the County Official Plan, to provide a plan and policies for the development of a regional serving Employment Area, within the Highway 401 corridor, in the Town of Lakeshore.

The following policies will apply to the Employment Areas:

- a) The location of Employment Areas are illustrated on Schedule “A”. Employment Areas will be the focus of employment growth and accommodate a range of uses including manufacturing, logistics operations, warehousing, distribution, offices and related industrial and business park uses, in addition to ancillary highway commercial uses serving the Employment Area. Employment Areas do not support institutional uses or destination-oriented commercial and shopping uses, such as Large Format Retail uses.
- b) Employment Areas will promote economic development and competitiveness by:
 - i) providing a range and mix of employment uses to provide for a diversified economic base;
 - ii) maintaining a range and choice of suitable sites for employment uses to support a wide range of employment activities and related uses to accommodate both local and regional markets;
 - iii) accommodating employment uses on full municipal sanitary sewage, stormwater management and potable water services, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
 - iv) ensuring that certain employment uses are protected from intrusion by incompatible sensitive land uses;
 - v) providing an appropriate level of transportation infrastructure;
 - vi) directing employment related traffic to arterial roads, County Roads, and Provincial Highways, and away from local residential streets to the extent possible; and
 - vii) protecting significant Natural Heritage Features.
- c) A proposal to expand the boundaries of an Employment Area will only be considered through a comprehensive review of this Plan. A comprehensive review is an Official Plan review which may be initiated at any time by the Town or an Official Plan Amendment which is initiated or adopted by the Town in accordance with the policies of Section 8.2.1, and where it is demonstrated that:
 - i) sufficient opportunities for appropriate employment growth are not available through designated employment areas to accommodate projected needs over the planning horizon within the Town, or sufficient opportunities for growth are not available through designated employment areas to accommodate projected regional needs as a result of locational or economic considerations;
 - ii) opportunities for intensification, infill and redevelopment have been explored, and accounted for in evaluating alternatives to an Employment Area expansion;
 - iii) the amount of land included within the expansion area is justified based upon the amount and nature of land available for development within the Town as a whole and the Employment Areas on an individual basis, the employment projections for the Town, and the intended role of the Employment Area;

- iv) the proposed expansion is a logical extension of the Employment Area and will be provided with full municipal sanitary sewage, stormwater management and potable water services to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
 - v) the proposed expansion has regard for the appropriate separation of incompatible sensitive land uses;
 - vi) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - vii) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
 - viii) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
 - ix) a suitable plan for phasing, financing and construction of the infrastructure for the expansion area is developed;
 - x) the lands do not comprise specialty crop areas;
 - xi) where agricultural areas are included they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
 - xii) the proposed expansion will not negatively impact cultural heritage resources;
 - xiii) the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Employment Areas on Agricultural Areas are mitigated to the extent feasible; and
 - xiv) considers cross-jurisdictional issues.
- d) Employment Areas will be protected and preserved for employment uses and the Town will discourage the conversion of Employment Areas for other uses. The conversion of lands from Employment Areas to non-employment uses will only be considered through a comprehensive review of this Plan, or through the Employment Lands Strategy outlined in Section 3.3.2.1, and only where it is demonstrated that the land is not required for employment purposes over the long-term and that there is a demonstrated need for the conversion. A comprehensive review is an Official Plan review which may be initiated at any time by the Town or an Official Plan Amendment which is initiated or adopted by the Town in accordance with the policies of Section 8.2.1, and where it is demonstrated that:
- i) the location of the employment lands do not satisfy the contemporary or future economic needs of the Town;
 - ii) the total amount of land designated Employment Designation in the Town will not substantially decrease, in total, as a result of a redesignation;
 - iii) the land proposed for redesignation should be on the periphery of an Employment Area and the revised boundaries will be logical and appropriate for the area, and will provide opportunities to minimize incompatibility between land uses;
 - iv) the proposed redesignation will not jeopardize the planned role and function of other land use areas and will not set a precedent for further redesignation;
 - v) there will be a demonstrated need for the proposed use(s);
 - vi) the proposed use(s) will not negatively impact the viability and stability of any of the remaining Employment Areas in the long-term;

- vii) the new development will be compatible within the context of the surrounding existing development in scale, height and built form;
 - viii) the density and massing of new development should complement the existing built form context;
 - ix) the new development can be integrated and linked into the fabric of the surrounding community, where appropriate (e.g. through the provision of public streets, pedestrian walkways and the location of public parks);
 - x) the continued operation of the existing Employment Area which remains in the area of a redevelopment can be encouraged through measures such as the phasing of development, the provision of on-site building setbacks, landscaped areas, intervening facilities, building and fencing, and the protection of trucking routes and driveways;
 - xi) that sufficient municipal sanitary sewage, stormwater management, potable water treatment and transportation capacity can be provided to meet the needs of the area;
 - xii) subject to the other policies of the Plan in this regard, the environmental conditions of the development area will be suitable for the proposed land use(s); and
 - xiii) considers cross-jurisdictional issues.
- e) Notwithstanding Section 3.3.2 d), the Town may consider an amendment to this Plan to transfer lands within an existing Employment Area from one location to another Settlement Area designated for other uses. In doing so, the Town will consider the following matters:
- i) the policies of this Plan relating to Official Plan amendments;
 - ii) the opportunity to reduce existing or potential land use conflicts and not create new land use conflicts;
 - iii) the policies of this Plan related to the role and function of the Employment Area;
 - iv) the proximity of the land to be Employment Area to major markets, including those accessible by Highway 401;
 - v) the proximity of the land to be Employment Area to County Roads and arterial roads;
 - vi) the specific economic advantage of the location of the land to be Employment Area, which may include availability of servicing, proximity to higher order transportation, and access to labour force;
 - vii) the lands will comprise approximately the same net developable land area as the lands to be transferred from the Employment Area; and
 - viii) the impact that the proposed transfer will have on lands that are presently included within the Employment Area, which may include land use compatibility and future land use considerations.
- f) Through the completion of the Employment Lands Strategy and/or a Secondary Plan for a Special Planning Area, the Town may consider an amendment to this Plan to transfer Employment Area lands from one location, to another location outside of a Settlement Area, provided that the lands to be transferred from the Employment Area

will be removed from the Settlement Area, included within the Agricultural Area and designated an appropriate Land Use Designation. In doing so, the Town will be satisfied that the following matters are addressed for the lands to be transferred to the Employment Area:

- i) the lands are located within a Special Planning Area as identified on Schedule "A";
 - ii) the lands will be located adjacent to an existing Employment Area, where feasible, and represent a logical extension of the Employment Area;
 - iii) the lands will be designated Employment Designation in accordance with the policies of Section 6.11;
 - iv) the lands will comprise approximately the same net developable land area as the lands to be removed from the Employment Area;
 - v) the Employment Area will be provided with full municipal sanitary sewage, stormwater management and potable water services, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
 - vi) the proposed transfer has regard for compatibility among existing and proposed land uses, through such matters as appropriate separation distances, buffering, and site and building design and orientation, among others matters;
 - vii) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - viii) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
 - ix) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
 - x) a suitable plan for phasing, financing and construction of the infrastructure for the expansion area is developed;
 - xi) the lands do not comprise specialty crop areas;
 - xii) where agricultural areas are included they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
 - xiii) the proposed expansion will not negatively impact cultural heritage resources;
 - xiv) the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Employment Areas on Agricultural Areas are mitigated to the extent feasible; and
 - xv) considers cross-jurisdictional issues.
- g) In relation to highway and roads access and intersection spacing requirements, approval may be required from the Ministry of Transportation and/or the County of Essex.

3.3.2.1 Employment Lands Strategy

It is a priority of the Town to designate additional employment lands including regional serving employment lands, within the Town, through an Employment Lands Strategy. The Town will strongly encourage the County to develop a County-wide Employment Lands Strategy, as part

of the County's five-year review of the County Official Plan, to provide a plan and policies for the development of a regional serving Employment Area within the Highway 401 corridor, in the Town of Lakeshore. The Town will work with the County and local area municipalities to develop and implement the County-wide Employment Lands Strategy. In response to the County's five-year review of the County Official Plan, the Town will undertake an Employment Lands Strategy to address regional-serving employment land needs.

Until such time as the required additional employment lands are designated, there is a substantial shortfall of employment lands in the Town. Additional Employment Areas may be designated through the preparation of Secondary Plans for the Wallace Woods Special Planning Area, and Lakeshore West/Manning Road Special Planning Area, and/or the Patillo/Advance Special Planning Area, in accordance with the respective Special Planning Area policies of Section 3.4. The Town will endeavour to complete the implementing amendment to this Plan prior to the first Official Plan review, likely through the preparation of a Secondary Plan for Urban Reserve Area lands within an identified Special Planning Area.

An Employment Area expansion beyond the amount of land to be designated for employment uses in accordance with the Policy Directions and Growth Structure Report, prepared in support of this Plan, may be permitted through a comprehensive review of this Plan in accordance with the policies of Section 3.3.2 c), or through the Employment Lands Strategy outlined in this Section, and provided it has been demonstrated that additional employment lands are required to maintain a 15-year supply of vacant designated employment lands. A Secondary Plan will provide policies for the orderly phasing and potential future expansion of the Employment Area.

3.3.3 Hamlet Area

Hamlet Areas are small rural settlements that provide limited commercial, institutional and recreational services to the surrounding agricultural community. The Hamlet Areas may continue to experience limited growth through appropriate infilling and development of vacant lands. For the purposes of this Plan, infilling refers to the development and/or redevelopment of existing vacant and/or underutilized lots. Limited growth should support the rural character and evolving role of the Hamlet Area as a service and residential centre in recognition of changing social and economic conditions. It is anticipated that sufficient land has been designated to accommodate Hamlet Area growth and development, therefore, Hamlet Area expansions are not contemplated within the planning horizon. Where municipal services are available in accordance with the policies of Section 7.3, expansions to the Hamlet Area boundaries may only be considered through a comprehensive review.

The following polices will apply to the Hamlet Areas:

- a) The locations of Hamlet Areas are illustrated on Schedule "A" and their boundaries are established on Schedule "C". Hamlet Areas may continue to experience limited growth through infilling, in accordance with the policies of Section 8.3.5.2, and development of vacant lands. Where municipal services are available in accordance with the policies of Section 7.3, expansions to the Hamlet Area boundaries may be considered through a comprehensive review of this Plan.

- b) Hamlet Areas will maintain a rural settlement character and evolve as service and residential centres for the surrounding agricultural community. Hamlet Areas may accommodate a range of residential, commercial, institutional and recreational services.
- c) The Town will monitor and review the Hamlet Areas on an on-going basis to ensure that they are appropriately managed and the policies of this Plan are fulfilled. It is anticipated that sufficient land has been designated to accommodate Hamlet Area growth and development, therefore, Hamlet Area expansions are not contemplated within the planning horizon. A proposal to expand the boundaries of a Hamlet Area will only be considered through a comprehensive review of this Plan. A comprehensive review is an Official Plan review which may be initiated at any time by the Town or an Official Plan Amendment which is initiated or adopted by the Town in accordance with the policies of Section 8.2.1, and only where it is demonstrated that:
 - i) there is a need for the amount of land included in the proposed expansion area in the context of the supply of designated and available land to accommodate proposed growth in the Town within the planning horizon;
 - ii) the expansion is a logical extension of the Hamlet Area and is compatible with existing development and avoids linear development land use patterns along roads or watercourses;
 - iii) appropriate sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
 - iv) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - v) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
 - vi) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
 - vii) the lands do not comprise specialty crop areas;
 - viii) where agricultural areas are included, they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
 - ix) the proposed expansion will not negatively impact cultural heritage resources; and
 - x) the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Urban Areas on Agricultural Areas are mitigated to the extent feasible.
- d) Full municipal sanitary sewage, stormwater management and potable water services are the preferred means of servicing within the Hamlet Area, where full municipal services exist. Development within the Hamlet Area will be subject to the policies of this Section and Section 7.3 of this Plan. More specifically, for Hamlet Areas serviced by full municipal services, all new development must be fully municipally serviced.

For Hamlet Areas where full municipal services do not exist, development will only be permitted on partial services within the existing Hamlet Area to:

- i) address failed individual on-site sewage and individual on-site water services within existing development;
- ii) allow for infilling and rounding out of existing development provided that the development is within the reserve sewage system and/or reserve water system capacity; and
- iii) provided site conditions are suitable for the long-term provision of such services.

3.3.4 Waterfront Area

The Waterfront Area consists of concentrations of rural residences which have historically been developed along Lake St. Clair and its tributaries. The Waterfront Area generally reflects the extent of the existing development patterns. Expansions to the Waterfront Area are not contemplated within the planning horizon. Proposed expansions to the Waterfront Area may only be considered through a comprehensive review. Expansions to the Waterfront Area that promote strip development will generally not be permitted where it results in the fragmentation of the Agricultural Area.

The following policies will apply to the Waterfront Area:

- a) The location of Waterfront Areas are illustrated on Schedule "A" and their boundaries are defined on Schedule "C" in the Waterfront Residential Designation. Waterfront Areas will accommodate predominately existing residential, commercial, recreational and open space and related uses.
- b) Limited growth and development may be accommodated through appropriate infill, in accordance with the policies of Section 8.3.5.2, and development of vacant lands within the Waterfront Area, in accordance with the following:
 - i) the natural heritage and hazard land policies of Section 5.0 are complied with; and
 - ii) an appropriate servicing system is provided in accordance with the policies of Section 7.3.
- c) Expansions to the Waterfront Area are not contemplated within the planning horizon. A proposal to expand the boundaries of a Waterfront Area will only be considered through a comprehensive review of this Plan. A comprehensive review is an Official Plan review which may be initiated at any time by the Town or an Official Plan Amendment which is initiated or adopted by the Town in accordance with the policies of Section 8.2.1, and only where it is demonstrated that:
 - i) there is a need for the amount of land included in the proposed expansion area in the context of the supply of designated and available land to accommodate proposed growth in the Town within the planning horizon;

- ii) the expansion is a logical extension of the Waterfront Area and is compatible with existing development and avoids strip development land use patterns along roads or watercourses;
 - iii) appropriate municipal sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
 - iv) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - v) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
 - vi) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
 - vii) the lands do not comprise specialty crop areas;
 - viii) where agricultural areas are included, they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
 - ix) the proposed expansion will not negatively impact cultural heritage resources; and
 - x) the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Urban Areas on Agricultural Areas are mitigated to the extent feasible.
- d) Full municipal sanitary sewage, stormwater management and potable water services are the preferred means of servicing within the Waterfront Area. Development within the Waterfront Area will be subject to the policies of this Section and 7.3 of this Plan. More specifically, for Waterfront Areas serviced by full municipal services, all new development must be fully municipally serviced.

For Waterfront Areas where full municipal services do not exist, development will only be permitted on partial services within the existing Waterfront Area to:

- i) address failed individual on-site sewage and individual on-site water services within existing development;
 - ii) allow for infilling and rounding out of existing development provided that the development is within the reserve sewage system and/or reserve water system capacity; and
 - iii) provided site conditions are suitable for the long-term provision of such services.
- e) The Town will promote opportunities for public access to the waterfront and the development of a waterfront trail system and open space linkages along Lake St. Clair and Waterfront Areas throughout the Town.

3.3.5 Urban Fringe Area

The Urban Fringe Area consists of clusters of predominately residential and commercial uses which have developed at the periphery of the Town of Lakeshore adjacent to Settlement Areas outside of the Town. The Urban Fringe Areas include areas associated with the Town of

Essex and the Tilbury Urban Area. The Urban Fringe Area generally reflects the extent of existing uses and development patterns. Expansions to the Urban Fringe Area are not contemplated within the planning horizon. Proposed expansions to the Urban Fringe Area which promote linear development patterns will generally not be permitted where it provides for the fragmentation of the Agricultural Area. Where municipal services are available in accordance with the policies of Section 7.3, expansions to the Urban Fringe Area may only be considered through a comprehensive review.

The following policies will apply to the Urban Fringe Area:

- a) The location of Urban Fringe Areas are illustrated on Schedule “A” and their boundaries are defined on Schedule “C” in the Urban Fringe Designation. Urban Fringe Areas will accommodate predominately existing residential, commercial, recreational and open space and related uses.
- b) Limited growth and development may be accommodated through appropriate infill, in accordance with the policies of Section 8.3.5.2, and development of vacant lands within the Urban Fringe Area, in accordance with the following:
 - i) the environmental protection and hazard land policies of Section 5.4; and
 - ii) appropriate sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3.
- c) Expansions to the Urban Fringe Area are not contemplated within the planning horizon. A proposal to expand the boundaries of an Urban Fringe Area will only be considered through a comprehensive review of this Plan. A comprehensive review is an Official Plan review which may be initiated at any time by the Town or an Official Plan amendment which is initiated or adopted by the Town in accordance with the policies of Section 8.2.1, and only where it is demonstrated that:
 - i) there is a need for the amount of land included in the proposed expansion area in the context of the supply of designated and available land to accommodate proposed growth in the Town within the planning horizon;
 - ii) the expansion is a logical extension of the Urban Fringe Area and is compatible with existing development and avoids strip development land use patterns along roads or watercourses;
 - iii) appropriate sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section 7.3;
 - iv) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - v) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
 - vi) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
 - vii) the lands do not comprise specialty crop areas;

- viii) where agricultural areas are included, they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
 - ix) the proposed expansion will not negatively impact cultural heritage resources;
 - x) the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Urban Areas on Agricultural Areas are mitigated to the extent feasible; and
 - xi) consultation has been undertaken to consider cross-jurisdictional issues, particularly with the Town of Essex in the case of the Essex Urban Fringe Area, and the Municipality of Chatham-Kent in the case of the Tilbury Urban Fringe Area.
- d) Full municipal sanitary sewage, stormwater management and potable water services are the preferred means of servicing within the Urban Fringe Area. Development within the Urban Fringe Area will be subject to the policies of this Section and 7.3 of this Plan. More specifically, for Urban Fringe Areas serviced by full municipal services, all new development must be fully municipally serviced.

For Urban Fringe Areas where full municipal services do not exist, development will only be permitted on partial services within the existing Urban Fringe Area to:

- i) address failed individual on-site sewage and individual on-site water services within existing development;
- ii) allow for infilling and rounding out of existing development provided that the development is within the reserve sewage system and/or reserve water system capacity; and
- iii) provided site conditions are suitable for the long-term provision of such services.

3.3.6 Primary Node

Schedule "A" conceptually identifies two Primary Nodes which include the existing downtown area of Belle River (Belle River Historic Downtown), and a new Primary Node in the Wallace Woods Special Planning Area (Wallace Woods New Primary Node). Primary Nodes are envisaged as major Town-wide focal points that accommodate a range of commercial/retail/service uses; Large Format Retail uses; offices and non-industrial and population-related employment uses; a range and mix of residential uses including special needs housing; and municipal and public services and facilities, including: recreation centres, schools, institutional uses, entertainment and cultural facilities.

The following policies will apply to a Primary Node:

- a) The location of Primary Nodes are conceptually identified on Schedule "A". Primary Nodes are defined by the Central Area Designation in Section 6.10 as illustrated on Schedule "C". Primary Nodes will create a Town-wide focal point and accommodate a diverse range and mix of commercial/retail/service uses; Large Format Retail uses; offices and non-industrial and population-related employment uses; a range and mix of residential uses including special needs housing; and public services and facilities,

- b) Primary Nodes will develop with efficient land use patterns and densities, and a mix of land uses to support the Town.
- c) Primary Nodes will:
 - i) provide for medium to higher density housing forms including stacked townhouses and apartment buildings;
 - ii) encourage a broader mix of land uses and mixed use buildings, including residential buildings with commercial uses at grade and live-work units;
 - iii) provide a range of housing types, including affordable and special needs housing;
 - iv) encourage high standards of community and urban design;
 - v) encourage densities and development patterns that support public transit opportunities;
 - vi) provide appropriate transitions with adjacent land uses to avoid land use conflicts;
 - vii) promote the creation of a linked network of pedestrian pathways and public open spaces; and
 - viii) provide an appropriate level of transportation infrastructure and parking accommodation.
- d) The Town will work with private landowners and development interests to enhance waterfront access opportunities, linking the Primary Nodes to the waterfront through pedestrian and open space networks.

3.3.6.1 Belle River Historic Downtown

The following additional specific policies will apply to the Belle River Historic Downtown:

- a) The limits of the Belle River Historic Downtown are defined by the Central Area Designation on Schedule “C”.
- b) The Town will promote growth through infill, intensification and redevelopment of vacant and/or underutilized sites.
- c) Should the Town initiate the preparation of a Community Improvement Plan or Plans, the Town will address the revitalization of the Belle River Historic Downtown as a priority.
- d) The Town will encourage a minimum of three-storey buildings on the south side of Notre Dame Street to capture significant views and vistas of Lake St. Clair, while maintaining the existing community character and main street presence.

- e) The Town will undertake the preparation of an Urban Design Master Plan to establish a consistent design vision for the Belle River Historic Downtown and encourage private revitalization, which may include improvements to the existing building stock and streetscape enhancements.
- f) The Town will work with the Business Improvement Association in the Belle River Historic Downtown to achieve collective goals and promote the economic vitality of the downtown. The Town will work with the Business Improvement Association in Belle River to evaluate extending the boundaries of the Central Area Designation to match the boundaries of the Business Improvement Area in Belle River through the preparation of the County Road 22 Corridor Study in accordance with the policies of Section 3.4.3

3.3.6.2 Wallace Woods New Primary Node

The following additional specific policies will apply to the Wallace Woods New Primary Node:

- a) Further policy guidance will be provided through the preparation of the Secondary Plan for the Wallace Woods Special Planning Area to establish the limits and the extent of the Wallace Woods New Primary Node and establish appropriate density targets and objectives to meet these targets.
- b) The predominant use of land will be a mix of medium to higher density residential uses; non-industrial community-related employment uses including: commercial retail, offices, and services; entertainment and cultural facilities; institutional; and municipal and public services including: schools, recreation centres, parks and open space uses within an innovative pedestrian-oriented main street environment.
- c) The Town will ensure land use compatibility with adjacent uses through the use of appropriate buffers and land use transitions.
- d) The Town will explore opportunities to secure public lands for passive recreation and open spaces.
- e) The Town will encourage the creation of an interconnected network of streets and pedestrian pathways to create a walkable neighbourhood.

3.3.7 Secondary Node

Schedule "A" conceptually identifies two Secondary Nodes which relate to the historic main streets in Stoney Point/Pointe-Aux-Roches (Stoney Point/Pointe-Aux-Roches Main Street Area) and Comber (Comber Main Street Area). Secondary Nodes will function similar to Primary Nodes, but at a smaller scale. Secondary Nodes will serve the local community, in keeping with the historic and main street character of the particular Urban Area. Secondary Nodes may accommodate a diverse range and mix of community serving, local commercial/retail/service uses; offices and non-industrial and population-related employment

uses; a range and mix of residential uses; and public services and facilities, including: recreation centres, schools, institutional uses, entertainment and cultural facilities.

The following policies will apply to Secondary Nodes:

- a) The location of Secondary Nodes are conceptually identified on Schedule “A” and defined by the Central Area designation in Section 6.10 as illustrated on Schedule “C”. Secondary Nodes will create a community focal point and accommodate a diverse range and mix of community serving, local commercial/retail/service uses; offices and non-industrial and population-related employment uses; a range and mix of residential uses; and public services and facilities, including: recreation centres, schools, institutional uses, entertainment and cultural facilities.
- b) Secondary Nodes will develop with efficient land use patterns, densities and a mix of uses to support the Town.
- c) Secondary Nodes will:
 - i) provide for medium density housing including stacked townhouses and medium profile buildings;
 - ii) encourage a broader mix of land uses and mixed use buildings, including residential buildings with commercial uses at grade and live-work units which accommodate both residential and at-grade commercial/retail uses in a single unit;
 - iii) provide a range of housing types, including affordable and special needs housing;
 - iv) encourage high standards of community and urban design;
 - v) provide appropriate transitions with adjacent land uses to avoid land use conflicts;
 - vi) promote the creation of a linked network of pedestrian pathways and public open spaces; and
 - vii) provide an appropriate level of transportation infrastructure and parking accommodation.

3.3.8 Mixed Use Nodes

Mixed Use Nodes are intended to accommodate major concentrations of residential uses, community uses, commercial and business uses serving the Town and the region. This may include a range and mix of commercial and retail uses including Large Format Retail, restaurants, entertainment uses, and professional offices.

The following policies will apply to Mixed Use Nodes:

- a) The location of a Mixed Use Node is conceptually illustrated on Schedule “A” and defined by a Mixed Use site-specific Designation in Section 6.9 as illustrated on Schedule “C”. The Mixed Use Node will accommodate major concentrations of commercial and business uses serving the Town and the region, including a mix of

medium density residential uses subject to the land use policies of Section 6.9, and community serving uses. This may include a range and mix of commercial and retail uses including Large Format Retail, restaurants, entertainment uses, and professional offices.

- b) Mixed Use Nodes will:
- i) encourage a broader mix of land uses;
 - ii) encourage high standards of community and urban design;
 - iii) encourage densities and development patterns that support public transit opportunities;
 - iv) provide appropriate transitions with adjacent land uses to avoid land use conflicts;
 - v) promote the creation of a linked network of pedestrian pathways and public open spaces; and
 - vi) provide an appropriate level of transportation infrastructure and parking accommodation.
- c) The Town will consider applications to create a new Mixed Use Node, subject to the following considerations:
- i) the new Mixed Use Node will be located in the Urban Area;
 - ii) a site-specific amendment to this Plan will be required to identify the new Mixed Use Node on Schedule "A" and include related site-specific policies in Section 3.3.8. The site-specific amendment also will delineate the extent of the related Mixed Use Designation on Schedule "C" and include site-specific land use policies in Section 6.9.3;
 - iii) the new Mixed Use Node will achieve the criteria of Section 3.3.8 b);
 - iv) a Retail Market Impact Study will be completed in accordance with Section 4.4.3.1 to support the creation of a new Mixed Use Node to the satisfaction of the Town;
 - v) the proposed Mixed Use Node will have regard for compatibility among existing and proposed and uses, through such matters as appropriate separation distances, buffering, and site and building design and orientation, among others matters;
 - vi) the land will be physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - vii) it will be demonstrated through a traffic impact study that the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
 - viii) suitable community and public facilities are available, or can be provided to accommodate the Mixed Use Node;
 - ix) the Mixed Use Node will be provided with appropriate municipal sanitary sewage, stormwater management and potable water services, to the satisfaction of the approval authority having jurisdiction;
 - x) a suitable plan for phasing, financing and construction of the infrastructure for the Mixed Use Node will be developed; and

- xi) the proposed expansion will not negatively impact cultural heritage resources.

3.3.8.1 Lakeshore West Mixed Use Node

The Lakeshore West Mixed Use Node is conceptually identified near the intersection of County Road 22 and Manning Road. The Lakeshore West Mixed Use Node is envisaged as a major concentration of commercial, retail, office and entertainment uses serving the Town and region. The node will also function as a gateway to the Town and create a sense of community identity.

The following additional specific policies will apply to the Lakeshore West Mixed Use Node:

- a) The location of the Lakeshore West Mixed Use Node is conceptually illustrated on Schedule “A” and defined by the Mixed Use site-specific Designation in Section 6.9.3.1 as illustrated on Schedule “C”. The Lakeshore West Mixed Use Node will primarily accommodate a major concentration of commercial, retail, office and entertainment uses serving the Town and the region, subject to the land use policies of Section 6.9. This may include a range and mix of commercial and retail uses including Large Format Retail, restaurants, entertainment uses, and professional offices.
- b) The expansion of the Lakeshore West Mixed Use Node on lands within the Lakeshore West/Manning Road Special Planning Area will only be considered through the preparation of a Secondary Plan for the Planning Area in accordance with the policies of Section 3.4.5.
- c) The development of the Lakeshore West Mixed Use Node will reflect the existing character and function of the area.
- d) The Lakeshore West Mixed Use Node will provide a gateway to the Town and create a sense of community identity through the implementation of the community design policies of Section 4.2.1 of this Plan, at the time of development approval.

3.3.9 County Road 22 Mixed Use Corridor

Country Road 22 is envisaged as a higher intensity mixed use corridor extending across the Maidstone and Belle River Urban Areas. The Mixed Use Corridor provides a strategic corridor and connection between the Belle River Historic Downtown, the proposed Wallace Woods New Primary Node, and the Lakeshore West Mixed Use Node. Growth within the corridor will occur through infilling, intensification and redevelopment and the development of vacant and/or underutilized lands.

The following policies will apply to the County Road 22 Mixed Use Corridor:

- a) The County Road 22 Mixed Use Corridor is conceptually illustrated on Schedule “A”. The County Road 22 Mixed Use Corridor is intended to accommodate a mix of commercial, retail and residential uses.

- b) The County Road 22 Mixed Use Corridor is identified as a Special Planning Area and the preparation of a Corridor Study may be undertaken to address land use and transportation issues, as outlined in Section 3.4.
- c) Where lands within the County Road 22 Corridor are identified as a Primary Node, the policies of Section 3.3.6 will apply.
- d) Where lands within the County Road 22 Corridor are identified as a Mixed Use Node, the policies of Section 3.3.8 will apply.
- e) The Town will encourage infill, intensification and redevelopment and the development of vacant and/or underutilized lands.
- f) The Town will encourage medium density residential uses and mixed use buildings in a variety of built forms.
- g) Subject to the approval of the County, and in consultation with the Town, direct access to the corridor will be limited in favour of shared/consolidated access points.
- h) The Town will promote future public transit opportunities along the corridor by encouraging transit supportive densities, transit supportive land uses and transit supportive site design. The Town will pursue opportunities for a local and regional public transit system with neighbouring municipalities, the County and transit providers.
- i) The Town will ensure appropriate land use and built form compatibility between adjacent uses through transitions in building heights, massing, siting, landscaping and buffering measures.
- j) The Town will ensure a high quality of urban design along the corridor which may include special boulevard treatments, streetscaping, plantings, signage controls and the provision of street furniture, in consultation with the County as appropriate and necessary.
- k) The Town will work with the Business Improvement Association in Belle River to evaluate extending the boundaries of the Central Area Designation to match the boundaries of the Business Improvement Area in Belle River.

3.3.10 County Road 42 Regional Corridor

County Road 42 functions as a major ‘inter-regional’ transportation corridor and accommodates large volumes of traffic and distributes traffic throughout the region. The protection of the County Road 42 Regional Corridor is warranted to ensure its continued function. The County Road 42 Regional Corridor is conceptually illustrated on Schedule “A”, and extends through the Town of Lakeshore from the Town of Tecumseh to the Municipality of Chatham-Kent. Land uses adjacent to the corridor should be carefully controlled to ensure that the transportation efficiency of the County Road 42 Regional Corridor is maintained.

The following policies will apply to the County Road 42 Regional Corridor:

- a) Subject to the approval of the County, and in consultation with the Town, direct access to the corridor will be limited in favour of shared/consolidated access points.
- b) Subject to the approval of the County, and in consultation with the Town, additional road right-of-way along the corridor will be protected and secured where required.
- c) The Town will limit development intensity and promote low traffic generating uses adjacent to the County Road 42 Corridor where appropriate, subject to the land use policies of this Plan.

3.3.11 Agricultural Area

The majority of lands within the Town are within the Agricultural Area as identified on Schedule “A” and generally includes all lands outside the Urban Areas, Employment Areas, Hamlet Areas, Waterfront Areas and Urban Fringe Areas. The Agricultural Area also includes significant environmental feature overlays as identified on Schedule “B”. The Agricultural Areas accommodate all agricultural uses, agriculturally-related uses and secondary agricultural uses including: the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; argo-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment; conservation uses; resource extraction, resource-based, and compatible uses.

The Town will preserve and foster a thriving agricultural industry and the associated rural lifestyle. The Agricultural Area of the Town consists entirely of Canada Land Inventory Classes 2 and 3 soils, which are considered prime agricultural land. The land base dedicated to agricultural production will, therefore, be protected. The use of the land will be predominantly agriculturally-oriented, with aggregate resource extraction as an important secondary component, provided the lands are rehabilitated.

The main threat to the preservation of the Agricultural Area is in the potential influx of large numbers of incompatible uses into the Agricultural Area. Although a certain degree of rural non-farm growth provides benefits and necessary supportive functions to the rural and agricultural community, the extent of such development should be limited.

The following policies will apply to the Agricultural Area:

- a) The Agricultural Area is illustrated on Schedule “A”. The Town is committed to the long-term protection of prime agricultural land in Agricultural Area. The Town recognizes, however, that where growth and development occur, it is likely that land with significant agricultural productivity will need to be used. Priority will be given to lower priority agricultural land for non-agricultural development where it is feasible and practical to do so.
- b) Unless otherwise designated, the use of prime agricultural land will be subject to the policies of Section 6.2 of this Plan. New non-agriculture-related uses on prime agricultural land will not be permitted, unless otherwise specifically permitted by this Plan or an amendment thereto.
- c) As necessary and relevant, the Town will identify specialty crop areas in accordance with the evaluation procedures established by the Province, as amended from time to time. By way of amendment to this Plan, if applicable, appropriate policies related to specialty crop areas will be added to this Plan. Settlement Area expansions onto specialty crop areas will not be permitted.
- d) In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices are promoted and protected in accordance with Provincial regulations.
- e) Impacts from new or expanding non-agricultural uses on surrounding agricultural uses/operations and lands should be mitigated to the extent feasible. New uses, the creation of lots and new or expanding livestock operations will comply with the Provincial Minimum Distance Separation guidelines.

3.3.12 Urban Reserve Area

Urban Reserve Areas are required to accommodate a portion of the Town’s projected urban and employment growth over the horizon of this Plan, in accordance with the Urban Area, Employment Area and Mixed Use Node policies of Sections 3.3.1, 3.3.2 and 3.3.8 respectively. Lands within the Urban Reserve Area have been identified through a comprehensive review and have been included within the Settlement Area boundary. The lands are designated Urban Reserve Designation on Schedule “C” and are subject to the policies of Section 6.15.

The Urban Reserve Areas are intended to permit existing and compatible agricultural uses while protecting the lands for future residential, employment, commercial and community-related uses, parks and open spaces. However, it is recognized that further planning study is required to determine the preferred land use, community design, transportation and servicing policies. Prior to any development occurring that is not permitted within the Urban Reserve Designation, a Secondary Plan will be prepared in accordance with the respective Special Planning Area policies as identified in Section 3.4.

The following polices will apply to the Urban Reserve Area:

- a) The locations of Urban Reserve Areas are illustrated on Schedule “A” and their boundaries are established on Schedule “C” by the Urban Reserve Designation.
- b) The Urban Reserve Areas are intended to permit existing and compatible agricultural uses while protecting the lands for future residential, employment, commercial and community-related uses, parks and open spaces. Prior to any development occurring that is not permitted within the Urban Reserve Designation, in accordance with Section 6.15, a Secondary Plan will be prepared in accordance with the respective Special Planning Area policies as identified in Section 3.4.
- c) The Secondary Plan for the Wallace Woods Special Planning Area will establish an appropriate residential phasing plan and policies to ensure the orderly, efficient and timely progression of residential development, in accordance with the anticipated growth projections as identified in Table 3.1. The phasing policies will not preclude the orderly development of employment and mixed use buildings, which may include residential uses above grade, commercial, retail, office and employment uses. The Secondary Plan will provide for an initial phase of development of approximately 100 hectares of land for residential development. Subsequent to the initial phase of development, additional lands will only be designated for residential and related urban land uses in accordance with Section 6.0, and subject to the following criteria:
 - i) a minimum of 75% of the undeveloped and vacant lands designated Residential within the Maidstone and Belle River Urban Areas, which have not been registered for development in approved plans of subdivision, at the time of adoption of this Plan, have been registered for development in approved plans of subdivision. At the time of adoption of this Plan, the undeveloped and vacant lands designated Residential within the Maidstone and Belle River Urban Areas, which have not been registered for development in approved plans of subdivision amount to approximately 265 hectares;
 - ii) a minimum of 75% of the lands within the preceding development phase within the Wallace Woods Special Planning Area have been registered for development in approved plans of subdivision; and
 - iii) the designation of additional lands for residential development will be contingent upon the outcome of the County’s five-year Official Plan review and the rationalization of the Urban Areas throughout the Town.

3.4 Special Planning Areas

Special Planning Areas have been established based on the growth management framework of the Town. Special Planning Studies or Secondary Plans may be prepared for the identified Special Planning Areas or other areas of the Town to comprehensively address the arrangement of the land use patterns for new development areas. They are intended to rationalize development within the existing Settlement Areas, promote redevelopment or intensification within an area, or for any other reason identified by the Town. A Special Planning Area may also be established to address specific land use issues or implement a specific planning initiative, thereby providing additional guidance to private and public sector investment.

The general policies of Section 8.3.1 will apply with respect to the preparation of Secondary Plans. Furthermore, the policies of this Section provide additional policy guidance and outline the unique requirements to be addressed in the preparation of the Special Planning Studies or Secondary Plans for the Special Planning Areas identified on Schedule "A", which include:

- a) Emeryville Special Planning Area;
- b) Patillo/Advance Special Planning Area;
- c) County Road 22 Corridor Special Planning Area;
- d) Wallace Woods Special Planning Area;
- e) Lakeshore West/Manning Road Special Planning Area; and
- f) Lighthouse Cove Special Planning Area.

The Town may choose to undertake a Special Planning Study or Secondary Plan for lands not identified as a Special Planning Area on Schedule "A", in accordance with the policies of Section 8.3.1 of this Plan.

Secondary Plans will be adopted as amendments to this Plan and read in conjunction with this Plan in its entirety. The Goals, Objectives and policies of this Plan will be maintained in the Secondary Plan. Any specific policy guidance resulting from the preparation of a Secondary Plan will be included in Section 3.4 of this Plan and the relevant schedules to this Plan will be amended or new schedules may be added.

3.4.1 Emeryville Special Planning Area

The following specific policies will provide guidance in the preparation of a Secondary Plan for the Emeryville Special Planning Area:

- a) The policies of Section 8.3.1 relating to the preparation of a Secondary Plan will apply, particularly the pattern of development and the transportation network.
- b) A Transportation Study Update will be undertaken in support of the Secondary Plan. The Transportation Study Update will consider the need and justification for any additional north-south and/or east-west Urban Residential Collector Roads to

accommodate existing and planned development, particularly for lands located east of the Fourth Concession Drain and north of Oakwood Avenue.

- c) In accordance with the policies of Section 7.2.2 of this Plan, a Transportation Impact Study will be undertaken by development proponents in support of any development applications submitted to the Town in advance of the completion and approval of the Secondary Plan. The Transportation Impact Study will consider the need and justification for any additional north-south and/or east-west Urban Residential Collector Roads to accommodate existing and planned development, particularly for lands located east of the Fourth Concession Drain and north of Oakwood Avenue.
- d) In accordance with Sections 7.2.2.1.3 c) and 7.2.2.1.5 d), and in instances where Urban Residential Local Roads or Urban Residential Collector Roads lead directly to a school, park, community facility or other facility which generates pedestrian traffic, or where the safety of pedestrians is a concern, sidewalks will be considered on both sides of roads.
- e) The Town will work to ensure that residential parcels are provided with road access from two directions to facilitate continuity, pedestrian and cyclist mobility, and emergency vehicle access. Where road access from two directions is not feasible, and where the road is near another street with walking or cycling facilities, a direct pedestrian connection/pathway to that facility is preferred, and the Town will consider establishing a direct pedestrian connection/pathway, as appropriate and reasonable.

3.4.2 Patillo/Advance Special Planning Area

The following specific policies will provide guidance in the preparation of a Secondary Plan for the Patillo/Advance Special Planning Area:

- a) The policies of Section 8.3.1 relating to the preparation of a Secondary Plan will apply.
- b) The policies of Section 3.3.12 relating to the Urban Reserve Area will apply until such time as a Secondary Plan is prepared to determine the preferred land use, community design, transportation and servicing policies for these lands.
- c) A Planning Rationale Report will be prepared to address the requirements of Section 8.3.1, in addition, the analysis will address consideration of future land use compatibility issues between the existing Urban Area and Employment Area and the compatible integration of new land uses.
- d) The Secondary Plan will identify an appropriate Urban Buffer within the Urban Reserve Designation, located along the western and northern portion of the Urban Reserve Designation. The Secondary Plan will provide appropriate policies to ensure land use compatibility through appropriate land use transitions and buffer areas between the Urban Area and the future development of lands within the Urban Reserve Area.

- e) Should lands within the Patillo/Advance Special Planning Area be identified for a new Employment Area in accordance with the Employment Lands Strategy, the policies of Section 3.3.2.1 will apply.

3.4.3 County Road 22 Corridor Special Planning Area

The following specific policies will provide guidance in the preparation of a Corridor Study for the County Road 22 Special Planning Area:

- a) The policies of Section 8.3.1 will provide guidance in determining what requirements should be considered in the preparation of a Corridor Study.
- b) The policies of Section 3.3.9 relating to the County Road 22 Mixed Use Corridor will be considered in the preparation of a Corridor Study.
- c) The Corridor Study will undertake an evaluation of the feasibility of extending the Mixed Use Designation on lands within the County Road 22 Corridor Special Planning Area.
- d) An Urban Design Study will be undertaken for the County Road 22 Corridor to develop a comprehensive and consistent urban design approach along the Corridor and to address land use, access requirements and signage standards.
- e) The Town will work with the Business Improvement Association in Belle River to evaluate extending the boundaries of the Central Area Designation to match the boundaries of the Business Improvement Area in Belle River.

3.4.4 Wallace Woods Special Planning Area

The following specific policies will provide guidance in the preparation of a Secondary Plan for the Wallace Woods Special Planning Area:

- a) The policies of Section 8.3.1 relating to the preparation of a Secondary Plan will apply.
- b) The policies of Section 3.3.6 relating to the development of the Wallace Woods New Primary Node will apply to lands generally within the north-central portion of the Planning Area.
- c) The policies of Section 3.3.12 relating to the Urban Reserve Area will apply until such time as a Secondary Plan is prepared to determine the preferred land use, community design, transportation and servicing policies for these lands.
- d) A Planning Rationale Report will be prepared to address the requirements of Section 8.3.1. In addition, the study will address land use compatibility issues between the existing and proposed land uses and appropriate land use transitions within the Planning Area.

- e) The establishment of land uses and land use policies for the Secondary Plan will be consistent with the land budget identified in the Policy Directions and Growth Structure Report, prepared in support of this Plan.
- f) The Secondary Plan will establish an appropriate residential phasing plan and policies to ensure the orderly, efficient and timely progression of residential development, in accordance with the anticipated growth projections as identified in Table 3.1. The phasing policies will not preclude the orderly development of employment and mixed use buildings, which may include residential uses above grade, commercial, retail, office and employment uses. The Secondary Plan will provide that subsequent to an initial phase of development, of approximately 100 hectares of land for residential development, additional lands will only be designated for residential and related urban land uses in accordance with Section 6.0, and subject to the following criteria:
 - i) a minimum of 75% of the undeveloped and vacant lands designated Residential within the Maidstone and Belle River Urban Areas, which have not been registered for development in approved plans of subdivision, at the time of adoption of this Plan, have been registered for development in approved plans of subdivision. At the time of adoption of this Plan, the undeveloped and vacant lands designated Residential within the Maidstone and Belle River Urban Areas, which have not been registered for development in approved plans of subdivision amount to approximately 265 hectares;
 - ii) a minimum of 75% of the lands within the preceding development phase within the Wallace Woods Special Planning Area have been registered for development in approved plans of subdivision; and
 - iii) the designation of additional lands for residential development will be contingent upon the outcome of the County's five-year Official Plan review and the rationalization of the Urban Areas throughout the Town.
- g) A Transportation Study will be undertaken to make recommendations on required improvements to the road network, including the provision of additional transportation capacity between County Road 22 and County Road 42.
- h) An Urban Design Study will be undertaken for the Wallace Woods New Primary Node to support the creation of an innovative, mixed use, and pedestrian-oriented main street environment.
- i) The Secondary Plan will support the creation of a linked natural heritage system which will reinforce the protection, restoration and enhancement of identified Natural Heritage Features, the overall diversity and interconnectivity of Natural Heritage Features, and promote the integration of stormwater management ponds and community uses, including parks and open spaces, recreational uses, trails and schools and municipal facilities.

3.4.5 Lakeshore West/Manning Road Special Planning Area

The following specific policies will apply to the preparation of a Secondary Plan for the Lakeshore West/Manning Road Special Planning Area:

- a) The policies of Section 8.3.1 relating to the preparation of a Secondary Plan will apply.
- b) The policies of Section 3.3.12 relating to the Urban Reserve Area will apply until such time as a Secondary Plan is prepared to determine the preferred land use, community design, transportation and servicing policies for these lands.
- c) Development within the existing land use designations is permitted in accordance with the policies of Section 6.0. A Settlement Area expansion beyond the existing Urban Area on lands designated Agriculture will be in accordance with the policies of Section 3.3.1 or 3.3.2.
- d) Through a review of this Plan or the Lakeshore West/Manning Road Special Planning Area Secondary Plan, the Town may consider an amendment to this Plan to transfer existing, vacant commercial/employment designated lands from one location, to another location outside of a Settlement Area, provided that the lands to be transferred from the existing, vacant commercial/employment designated lands will be removed from the Settlement Area, included within the Agricultural Area and designated an appropriate Land Use Designation. In doing so, the Town will be satisfied that the matters identified in Section 3.3.2 e) are addressed for the lands where the commercial/employment designation is to be transferred.
- e) A Planning Rationale Report will be prepared to address the requirements of Section 8.3.1. In addition, the study will address land use compatibility issues between the existing and proposed lands uses within the Special Planning Area and the Town of Tecumseh.
- f) A Transportation Study will be undertaken to make recommendations on required improvements to the road network including access to the Special Planning Area. Access to Manning Road and the associated development will be undertaken in accordance with the recommendations of the Manning Road Environmental Assessment.
- g) Should lands within the Lakeshore West/Manning Road Special Planning Area be identified for a new Employment Area in accordance with the Employment Lands Strategy, the policies of Section 3.3.2.1 will apply.

3.4.6 Lighthouse Cove Special Planning Area

The following policies will apply to the preparation of a Secondary Plan for the Lighthouse Cove Special Planning Area:

- a) The policies of Section 8.3.1 relating to the preparation of a Secondary Plan will apply;

- b) A Settlement Area expansion beyond the existing Urban Area on lands designated Agriculture will require a comprehensive review of this Plan, in accordance with the policies of Section 3.3.1 c).
- c) A Transportation Study will be undertaken to investigate opportunities for a secondary access.
- d) Long-term municipal servicing for Lighthouse Cove must be established, prior to considering any further development, other than development of a single detached residence on an existing lot of record, within the Urban Area.
- e) A Tourism and Recreation Study may be undertaken to promote tourism and economic development of the recreational amenities and identify opportunities for related tourism and recreational development.
- f) Environmental studies may be undertaken to address issues relating to water quality, shoreline management, and environmental protection.
- g) The Town may consider, as a priority, community improvement initiatives to address general improvement and revitalization of Lighthouse Cove, in accordance with Section 4.2.2 of this Plan.

4.0 BUILDING HEALTHY COMMUNITIES

4.1 Introduction

The goals identified through the Community Strategic Plan reflect the Town's desire to build healthy communities and to ensure a high quality of life. It is recognized that healthy communities are largely attributed to land use planning decisions and how the Town accommodates and manages growth. While other sections of this Plan address issues related to growth management, land use, natural heritage resources, and infrastructure, the building of healthy communities are also promoted through the policies of this Section which address community design and improvement, preservation of cultural heritage resources, provision of affordable and special needs housing, the provision of community services and recreational opportunities and the financial sustainability of the Town.

4.2 Built Environment

4.2.1 *Community Design*

Safe and attractive neighbourhoods contribute to the overall community health of the Town. Community design is essential for creating a physical environment where people have the appropriate places to interact, live, work, recreate and learn. The policies of this Section relate to the built form and physical design of communities.

Excellence in community design will be promoted through the review of new development applications in the Town, including plans of subdivision, infill development proposals, site plans and through community improvement.

The following will be the policy of the Town:

- a) The Town will seek to maintain and improve the physical design characteristics of the Settlement Areas in the context of new and existing development, and stress a generally high quality of community design and built form.
- b) Through the review of development applications, including plans of subdivision, site plans and other development proposals, the Town:
 - i) will ensure that new development is designed in keeping with the traditional character of the Settlement Areas in a manner that both preserves their traditional community image and enhances their sense of place within the Town;
 - ii) will promote efficient and cost-effective development design patterns that minimize land consumption;
 - iii) will promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
 - iv) will encourage tree retention or tree replacement;
 - v) will encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure; and
 - vi) may require, at the Town's sole discretion, that proponents submit design guidelines with development applications establishing how the policies of this Plan have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, signage, garage placement, and architectural treatment.
- c) Measures will be taken to ensure that the permitted uses address compatibility with adjacent land uses. Adequate separation buffering or screening will be provided between any uses where land use conflicts might be expected, such as the provision of grass strips and appropriate planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also represent appropriate buffering measures.

- d) Wherever possible, new development will be oriented toward streets or parks. Development design that establishes reverse lotting on Town roads or requires features such as noise attenuation or privacy fencing will generally be discouraged. However, reverse-lotting may be permitted along Urban Residential Collector Roads, Urban Industrial Collector Roads, Urban Arterial Roads, Rural Regional Roads and Rural Secondary Roads at the discretion of the Town and subject to the provision of uniform noise attenuation or privacy fencing and a suitable maintenance program to the satisfaction of the Town.
- e) The Town will require that infill developments be compatibly scaled and designed to enhance the character of the area.
- f) Streetscaping that reflects the intended character of the Settlement Area will be encouraged. In particular, contextually appropriate streetscaping in the Primary Nodes, Secondary Nodes and, Mixed Use Corridor will be encouraged.
- g) The Town, in consultation with a development proponent(s) and the local Heritage Committee, will define a style of street furnishing that should include shared and accessible bicycle racks, garbage receptacles, benches and street lamps to be used in a new development.
- h) A high quality of architecture and site design for institutional uses such as schools, places of worship, community centres, libraries and other public service buildings will be encouraged.
- i) A high quality of park and open space design will be strongly encouraged. The land for parkland dedication will be carefully selected to facilitate their use as a central focal point for new or existing neighbourhoods.
- j) Public art in the Town will generally be encouraged to incorporate themes supporting and promoting local history, civic pride, businesses and technology. The provision of public art in Primary Nodes will be encouraged, particularly with larger development proposals. The Town may consider granting increases in height or density for a particular development proposal in exchange for the provision of public art, in accordance with Section 8.3.2.4.
- k) The Town will promote the integration and accessibility of community uses including schools, municipal facilities, institutional uses, parks and open spaces and recreational uses through pedestrian, cycling and trail linkages. The Town will require the provision of certain pedestrian, cycling and trail linkages through the development approvals process, in accordance with the policies of this Plan and associated master plans as approved by Council.
- l) The Town may undertake the preparation of urban design guidelines to achieve the policies of this Section for all or parts of the Town, particularly Primary Nodes, Secondary Nodes, Mixed Use Nodes, Special Planning Areas, and the County Road 22 Mixed Use Corridor.

- m) The Town will encourage development design that considers the principles of Crime Prevention Through Environmental Design (CPTED). Specifically, the Town will encourage proponents of new development to situate buildings on lots to maximize natural surveillance and to use appropriate lighting to deter crime.
- n) The Town will consider locating utilities within the public rights of way as well as on private property. Utilities will be clustered or grouped where possible to minimize visual impact. The Town encourages utility providers to consider innovative methods of containing utility services on, or within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large utility equipment and utility cluster sites.
- o) The Town will review the design and layout of parking areas in accordance with the Town's parking guidelines.
- p) An Urban Design Study, as required in several sections of this Plan, will consider the community design policies of Section 4.2.1.

4.2.2 *Community Improvement*

The Community Improvement provisions of the *Planning Act* give the Town a range of tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation of Community Improvement Plans will provide the Town of Lakeshore with various powers to maintain and promote attractive and safe living and working environments through community improvement. This includes the authority to offer incentives to stimulate or leverage private and/or public sector investment.

- a) It will be the policy of the Town that community improvement will be accomplished through the:
 - i) ongoing maintenance, rehabilitation, redevelopment and upgrading of areas characterized by deficient/obsolete/deteriorated buildings and social, community or recreational services, land use conflicts, deficient municipal hard services, or economic instability;
 - ii) establishment of programs to encourage private sector redevelopment and rehabilitation that addresses identified economic development, land development, environmental, housing, and/or social development issues/needs;
 - iii) designation by by-law of Community Improvement Project Areas, the boundaries of which may be the entire Town, or any part of the Town; and
 - iv) preparation, adoption and implementation of Community Improvement Plans, pursuant to the *Planning Act*.
- b) The designation of Community Improvement Project Areas will be based on one or more of the following conditions being present:

- i) buildings, building facades, and/or property, including buildings, structures and lands of heritage and/or architectural significance, in need of preservation, restoration, repair, rehabilitation, or redevelopment;
 - ii) brownfield or derelict properties in need of remediation and redevelopment;
 - iii) non-conforming, conflicting, encroaching or incompatible land uses or activities;
 - iv) deficiencies in physical infrastructure including, but not limited to, the sanitary sewer system, storm sewer system, and/or watermain system, roads, parking facilities, sidewalks, curbs, streetscapes, and/or street lighting;
 - v) poor road access and/or traffic circulation;
 - vi) deficiencies in community and social services including, but not limited to, public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;
 - vii) inadequate mix of housing types;
 - viii) known or perceived environmental contamination;
 - ix) poor overall visual quality, including but not limited to, streetscapes and urban design;
 - x) high commercial vacancy rates;
 - xi) shortage of land to accommodate widening of existing rights-of-ways, building expansions, parking and/or loading facilities;
 - xii) other barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings;
 - xiii) any other environmental, social or community economic development reasons.
- c) Community Improvement Plans will be prepared and adopted to:
- i) encourage the renovation, repair, rehabilitation, remediation, redevelopment or other improvement of lands and/or buildings;
 - ii) encourage the remediation and redevelopment of brownfield or derelict properties and/or buildings;
 - iii) encourage residential and other types of infill and intensification;
 - iv) upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
 - v) encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally significant buildings;
 - vi) encourage the construction of a range of housing types and the construction of affordable housing;
 - vii) improve traffic circulation within the Community Improvement Project Areas;
 - viii) encourage off-street parking and provide municipal parking facilities where feasible and appropriate;
 - ix) promote the ongoing viability and revitalization of the downtowns and main streets in the Primary and Secondary Nodes as the focus of pedestrian-oriented retail, civic, cultural, entertainment and government uses;
 - x) promote sustainable development and energy efficiency;
 - xi) improve environmental conditions;
 - xii) improve social conditions;

- xiii) promote cultural development;
 - xiv) facilitate and promote community economic development; and
 - xv) improve community quality, safety and stability.
- d) Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans will be given to those areas where:
- i) the greatest number of conditions (as established in Subsection b)) are present; and/or
 - ii) one or more of the conditions (as established in Subsection b)) are particularly acute; and/or
 - iii) one or more of the conditions (as established in Subsection b)) exist across the Municipality.
- e) In order to implement Community Improvement Plans within designated Community Improvement Project Areas, the Town may undertake a range of actions, including:
- i) the municipal acquisition of land and/or buildings within Community Improvement Project Areas, and the subsequent:
 - clearance, grading, or environmental remediation of these properties;
 - repair, rehabilitation, construction or improvement of these properties;
 - sale, lease, or other disposition of these properties to any person or governmental authority; and
 - other preparation of land or buildings for community improvement.
 - ii) provision of public funds such as grants, loans and other financial instruments;
 - iii) application for financial assistance from senior level government programs;
 - iv) participation in any senior level government programs that provide assistance to private landowners for the purposes of community improvement;
 - v) provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;
 - vi) supporting heritage conservation through the *Ontario Heritage Act* and the Heritage Committee;
 - vii) supporting the efforts of the Chambers of Commerce and Business Improvement Associations to revitalize the downtowns and main streets in the Primary and Secondary Nodes, through the implementation of various programs; and
 - viii) encouraging off-street parking and providing municipal parking facilities where feasible and appropriate.
- f) All developments participating in programs and activities contained within Community Improvement Plans will conform with the policies contained in this Plan, the Zoning-By-law, Property Standards By-laws, and all other related municipal policies and by-laws.
- g) The Town will be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town.

4.2.3 Cultural Heritage

Cultural heritage resources are an important component of the Town's history and community identity and will be preserved and enhanced. The Town's rich cultural heritage resources include: buildings, structures, monuments or artifacts of historic and/or architectural value or interest, and areas of unique or rare settlement composition, streetscape, landscape or archaeological value or interest. It is the intent of the Town to support the conservation of these cultural heritage resources for the benefit of the community.

The Town supports public awareness, participation and involvement in the preservation, restoration and utilization of heritage, through the implementation of the following policies.

4.2.3.1 Cultural Heritage Resources

The following will be the policy of the Town:

- a) Town will encourage the preservation of significant built heritage resources and cultural heritage landscapes and may use the *Ontario Heritage Act* to do so.
- b) The Town may use any government programs available to assist in the implementation of heritage conservation policies. Where appropriate, the Town will co-operate with other levels of government, as well as private agencies and individuals in the conservation of cultural heritage resources in the Town. The Town will co-ordinate its heritage plans and programs with heritage plans and programs of senior levels of government.
- c) The Town may restore, rehabilitate, enhance and maintain heritage properties owned by the Town in fulfilment of the heritage policies. Where feasible, relevant by-laws, programs and public works undertaken by the Town should further the heritage policies of this Plan.
- d) The Town will seek the acquisition of easements on properties with heritage significance in order to ensure the preservation of these properties in perpetuity.
- e) The Town will ensure that each Town-owned heritage resource which is sold, transferred or leased to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation and maintenance, and which will be used in a manner that respects its heritage significance. When appropriate, the town may require a heritage restoration agreement which will require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Heritage Committee and the Town.
- f) The Town may prepare and maintain a cultural heritage database and/or heritage management plans for planning purposes, resulting in inventories of significant heritage buildings, heritage districts, cultural heritage landscapes, archaeological sites, and areas of archaeological potential within the Town.

- g) The Town will also maintain a list of properties worthy of designating under the *Ontario Heritage Act* and endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.
- h) The Town will encourage the preservation and enhancement of the unique cultural and heritage significance of the francophone community in Stoney Point/Point-Aux-Roches.
- i) The Town may undertake a cultural heritage master plan which may address matters such as:
 - i) cultural heritage resource mapping, archaeological potential mapping, and inventories;
 - ii) identification and evaluation of cultural heritage resources, cultural facilities and organizations;
 - iii) strategies for conserving and enhancing these identified resources;
 - iv) programs to foster interpretation and promotion; and
 - v) education and public participation in cultural heritage conservation.
- j) To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures will be discouraged.

4.2.3.2 Heritage Committee

A Heritage Committee may be established and maintained pursuant to the *Ontario Heritage Act* to advise and assist Council on matters related to the Act and other matters of heritage conservation. Additionally, Council may elect to expand the role of the Heritage Committee to advise and assist Council on other matters of cultural heritage conservation.

The following will be the policy of the Town:

- a) The Town may choose to form a Heritage Committee to advise and assist on matters of heritage conservation. The Heritage Committee may prepare, publish and monitor an inventory of heritage resources within the Town, and generally advise on heritage matters. The Town will consult its Heritage Committee on decisions to designate a property or part of a property under the *Ontario Heritage Act*.
- b) The Heritage Committee may maintain an inventory of the Town's heritage resources to be used as a guide for policy formulation. The following criteria may be used in determining the historic or architectural value of heritage resources included, or proposed to be included in the inventory:
 - i) the architectural significance of any building(s) in terms of its form, massing and/or cultural relevance;
 - ii) the historical value of the site or building from a social, environmental, cultural or economic perspective;

- iii) the integrity and present condition of the heritage resource; and
 - iv) the natural and built environmental condition of the site.
- c) The Town may also seek the advice of local historical societies and genealogical societies in addressing cultural heritage matters.

4.2.3.3 Heritage Properties or Districts

The Town may choose to designate certain properties or districts under the *Ontario Heritage Act*. The following will be the policy of the Town:

- a) The Town may utilize the *Ontario Heritage Act* to conserve, protect and enhance the cultural heritage resources of the Town through the designation of individual properties, heritage conservation districts containing significant cultural heritage landscape characteristics and archaeological sites.
- b) The Town may pass by-laws providing for the making of a grant or loan to the owner of a property designated under the *Ontario Heritage Act* for the purpose of paying for the whole or any part of the cost of maintenance, preservation, restoration or alteration of such designated property, on such terms and conditions as Council may prescribe.
- c) The Town may choose to designate a Heritage Conservation District or Districts. Council may pass a by-law defining an area to be examined for future designation as such a district, or may prepare a study for the area to determine the feasibility and appropriateness of such a designation. Such a study should be prepared in accordance with the Province's Heritage Conservation District Guidelines. The Town may prepare District Planning Guidelines, which may include policies to advise Council as to the approval of applications for new development and building alterations on properties located within a Heritage Conservation District.
- d) The preservation of cultural landscapes in the rural area such as hedgerows, stone fences or tree lines are encouraged.

4.2.3.4 Archaeological Resources

The Town recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the Town.

The following will be the policy of the Town:

- a) Areas of archaeological potential will be determined through the use of Provincial screening criteria, or criteria based on known archaeological records with the Town and developed by a licensed archaeologist.
- b) For a proposed development within an area of archaeological potential, an archaeological assessment will be required prior to final planning approval, or as a condition of final planning approval. Archaeological assessment reports conducted by

licensed archaeologists will be in compliance with guidelines set out by the Ministry of Culture, as well as licensing requirements developed under the *Ontario Heritage Act*.

- c) Where archaeological resources are identified, the Town recognizes that there may be a need for archaeological preservation on site or rescue excavation of significant archaeological resources as a result of development proposals. The Town may consider archaeological preservation on site to ensure that the integrity of the resource is maintained. The Town may also maintain the integrity of archaeological resources by enacting a Zoning By-law to prohibit incompatible land uses and/or the erection of buildings or structures on land that is a site of a significant archaeological resource.
- d) The Town, on the advice of the Ministry of Culture, may undertake the preparation of an Archaeological Master Plan for all or a portion of the Town. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Town having archaeological potential. The Master Plan may also outline policies, programs and strategies to protect significant archaeological sites.
- e) The Town will ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture and the Ministry of Government Services, when an identified, marked or unmarked cemetery is impacted by development. The provisions of *the Ontario Heritage Act* and the *Cemeteries Act* will apply.

4.2.3.5 Development Policies

The following will be the policy of the Town when considering development applications which will have an impact on cultural heritage resources:

- a) New development and redevelopment will have regard for heritage resources and will, wherever feasible, incorporate these resources into any plan that may be prepared for such new development or re-development within the Town.
- b) The Town will encourage the conservation and protection of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources through conditions of consent and subdivision approval and agreements.
- c) In areas considered to be of architectural or historical value, the Town will encourage the preservation of the architectural or historical buildings or sites to be included in proposals for redevelopment, intensification or infill.
- d) The Town may consider amendments to the Zoning By-law, including increased density provisions, which would facilitate the restoration of a historical facility.
- e) The Town will, when appropriate for specific development proposals, consider excluding designated heritage resources from the parking requirements of the Zoning By-law to facilitate the retention of heritage resources.

- f) The Town will ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse when considering demolition applications for designated heritage properties.
- g) The Town will ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation will be the responsibility of the applicant in consultation with the Heritage Committee and the Ministry of Culture.
- h) The Town will ensure that development and site alteration on land adjacent to a designated heritage resource is evaluated and that it is demonstrated that the heritage attributes of the designated heritage resource will be conserved.

4.2.4 Energy Conservation & Generation

The Town will explore and promote the use of energy conservation and alternative energy generation sources.

The following will be the policy of the Town:

- a) The Town will promote innovative subdivision and site plan designs that minimize energy consumption through road design and lot layouts which maximize passive solar energy opportunities and other alternative energy sources, and encourage individuals to make use of non-automotive modes of transportation for short trips and/or recreation and leisure activities.
- b) The Town will promote building styles, designs and construction techniques which conserve energy and include high-efficiency heating/cooling and lighting systems, fixtures and appliances.
- c) The Town will promote the landscaping and siting of buildings to provide wind shelters and maximum exposure to sunlight.
- d) The Town will encourage public/private partnerships to finance, acquire and construct a linked open space system consisting of bikeways, trails, and walkways which promote walking, cycling and non-motorized modes of transportation between communities.
- e) The Town will use any energy conservation grants, loans and audit services to retrofit or renovate older buildings and structures within the Town to incorporate energy saving mechanical, electrical and lighting systems.
- f) The Town will involve local utilities and elementary and secondary schools to develop educational programs that will increase public awareness of energy conservation

techniques, and will promote the utilization of energy saving fixtures, appliances and modes of transportation.

4.2.4.1 Renewable Energy Systems

In view of the Provincial government's promotion of renewable energy systems, and the County Official Plan renewable energy policies, this Section provides a policy framework for renewable energy systems, which may include wind energy conversion systems or other forms of renewable energy systems. Renewable energy systems produce electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

The *Green Energy and Green Economy Act* establishes a new policy framework, regulations and requirements for the promotion and development of renewable energy systems. With the new regulations now in place, the Town will review and update the policies of this section to implement the new development model for renewable energy systems. In the meantime, the Town will use the policies of the County Official Plan and this section as guidelines in the consideration of renewable energy proposals.

The following will be the policy of the Town:

- a) The development of new renewable energy systems are categorized according to the scale of electrical production and include:
 - i) Small Scale Generating Systems - Small Scale Generating Systems are renewable energy systems that generate electricity only for the property owner and do not contribute to the electricity grid.
 - ii) Large Scale Generating Systems - Large Scale Generating Systems are more intensive renewable energy systems being comprised of one or more generating units and provide electricity into the provincial transmission grid in keeping with Provincial policies and regulations regarding renewable energy technologies.
- b) All new or expanded Large Scale Generating Systems are subject to site plan control in accordance with Town policy.
- c) The development of new or expanded Large Scale Generating Systems will require a project specific amendment to the Zoning By-law.
- d) The development of new non-wind energy based Large Scale Generating Systems requires an amendment to this Plan due to their variable nature, significant size and potential land use compatibility impacts.
- e) New or expanded renewable energy systems should be designed and constructed to minimize impacts on agricultural operations as well as being buffered and/or separated from sensitive land uses to prevent adverse impacts from odours, noise and other contaminants and minimize risk to public health and safety.

- f) The Town may require a peer review of submitted supporting information requirements, at the cost of the applicant.
- g) It is not the intent of this Plan to duplicate any requirements with respect to an undertaking under the Canadian and/or Ontario *Environmental Assessment Act*, including Environmental Screening, Environmental Review and/or Individual Environmental Assessment requirements and Certificates of Approval.
- h) Where required, an Environmental Screening, Environmental Review and/or Individual Environmental Assessment under the Canadian and/or the Ontario *Environmental Assessment Act* will be completed prior to the Town's final approval of a development application pursuant to the *Planning Act*. The Town may use a holding prefix with respect to any site-specific amendments to the Zoning By-law, in accordance with Section 8.3.2.1 of this Plan.
- i) Wind energy conversion systems are also subject to the policies of Section 4.2.4.2 of this Plan.

4.2.4.2 Wind Energy Conversion Systems

Wind Energy Conversion Systems (W.E.C.S.) consist of mechanical devices designed to convert wind energy into electricity. These systems can occur at small or large scales in the Town. Small Scale Generating Systems are those that generate electricity only for the property owner and do not contribute to the electricity grid. Large Scale Generating Systems involve one or more generating devices that contribute to the electricity grid and may also produce electricity for the property owner. The Large Scale Generating Systems are generally referred to as 'Wind Farms' and are usually located in areas where climate (i.e., wind) conditions create a conducive environment for W.E.C.S.

4.2.4.2.1 Small Scale Generating Systems

The following will be the policy of the Town:

- a) Small Scale Generating Systems are systems that generate electricity only for the property owner and do not contribute to the electricity grid.
- b) The establishment of a small scale generating system will be permitted in the Town's Zoning By-law as a structure accessory to the principle use of the property. The Zoning By-law will establish appropriate standards for the establishment of Small Scale Generating Systems.

4.2.4.2.2 Large Scale Generating Systems

Large Scale Generating Systems are a more intensive use than Small Scale Generating Systems, comprise one or more generating units, provide electricity into the provincial transmission grid, and may also provide electricity for the property owner..

Due to their regional nature, Large Scale Generating Systems will be directed to the Agricultural Designation. Large Scale Generating Systems are considerably different from the typical uses located within the Agricultural Designation and therefore it is important to carefully control the establishment of these large scale systems, to ensure compatibility with, and the safety of neighbouring residents.

The following will be the policy of the Town:

- a) Large Scale Generating Systems contributing to the electricity grid, including accessory uses such as transmission lines, distribution lines, meteorological towers (both temporary and permanent) and transformer stations will be permitted in the Agricultural Designation by an amendment to the Zoning By-law, subject to the policies of this Plan.
- b) The approval of Large Scale Generating Systems may be subject to an approval from the appropriate Conservation Authority.
- c) Large Scale Generating Systems will normally be located on large parcels of agricultural lands having limited residential development on-site or nearby. The sites will be separated from Urban Areas, Hamlet Areas, Waterfront Areas and Urban Fringe Areas, in order to reduce the potential impact of safety, noise and visual intrusion on these areas.
- d) The site will have access to a public road with the existing design capacity to accommodate construction and maintenance vehicles needed for the Large Scale Generating Systems.
- e) The site will have sufficient area to provide setbacks from sensitive residential and institutional land uses to provide safety from falling ice.
- f) The Large Scale Generating Systems will be designed, built, operated and maintained by firms/individuals qualified to undertake the work.
- g) The distance separation of Large Scale Generating Systems from airport reference points will be determined through required Environmental Screenings, Environmental Review and/or Individual Environmental Assessments under the Canadian and/or the Ontario *Environmental Assessment Act*, and through consultation with Transport Canada.
- h) Climatic conditions are the principal locational criteria for Large Scale Generating Systems. Such uses will be encouraged to locate on lands of lesser agricultural capability where climatic conditions are of a similar nature.
- i) The Town will adopt a zoning by-law establishing minimum setbacks from lot lines, roads, dwellings (both off-site and on-site) and other zones. This by-law will not establish wind turbines as a permitted use.

- j) The Town will participate in federal and provincial environmental assessment processes.
- k) Once all issues of interest arising from any environmental assessment process have been satisfactorily addressed, the Town will consider application for rezoning of those sites suitable for wind turbines and accessory uses in the environmental assessment process. Based on the findings of the environmental assessment processes, the site-specific zoning by-law may vary the setbacks originally established in Section 4.2.4.2.2 i), or establish setbacks from other items such as Natural Heritage Features.
- l) The Town will apply a holding prefix to all zones approved under Section 4.2.4.2.2 k), the holding prefix may be removed once all necessary approvals, agreements, contracts and permits have been achieved.
- m) The Town may require a peer review of any of the submitted supporting information requirements, at the cost of the applicant.
- n) The development will be subject to Site Plan Control in accordance with the policies of this Plan.

4.2.4.3 Coordination & Consultation

- a) The Town supports the coordination of MOE requirements and the Canadian and/or Ontario *Environmental Assessment Act* requirements, with the development approvals under the *Planning Act*. The Town will require the proponent to consult with the Town and the public where appropriate to ensure that such approvals are coordinated, particularly for such matters that relate to:
 - i) the submission of applications made under the *Planning Act*;
 - ii) consultation with Town staff;
 - iii) consultation with members of the public and scheduling of public meetings; and
 - iv) scheduling of the production and release of impact assessments and information requirements.
- b) When multiple proponents are seeking project approvals, the Town will assist and encourage identification of common interests, such as public meetings, to streamline the process and reduce uncertainty and confusion.

4.2.4.4 Information Requirements

It is not the intent of this Plan to duplicate any requirements with respect to an undertaking under the Canadian and/or Ontario *Environmental Assessment Act*, including Environmental Screening, Environmental Review and/or Individual Environmental Assessment requirements and Certificates of Approval. Copies of all documentation submitted or prepared as part of the requirements of the Canadian and/or Ontario *Environmental Assessment Acts* and associated

MOE guidelines and regulations regarding Large Scale Generating Systems and electricity projects will be made available to the Town for review.

4.2.4.4.1 Town Information Requirements

The following identifies areas of interest and information requirements which the Town will review in their consideration of an application for a Large Scale Generating System:

- a) A Planning Justification Report which will include a location analysis and an assessment of potential implications for existing surrounding land uses. Density of turbines will be considered through the review of a particular application and context of subject lands. The proponent will rationalize their approach in relation to the Ministry of the Environment's documentation/publications concerning electricity generation to demonstrate how the proposal will comply with the Ministry's requirements. Where Large Scale Generating Systems are proposed within proximity to an Urban Area, Hamlet Area, Waterfront Area or Urban Fringe Area, the proponent's Planning Justification Report will address the potential impacts of the Large Scale Generating System on these adjacent land uses and explain how such impacts may be reduced.
- b) A Site Plan will be provided illustrating the location of the proposed turbines, as well as the location and height of all existing buildings and structures on the site and the location and height of all existing buildings and structures within 1000 metres of the Large Scale Generating Systems. Site plan information will include, but not be limited to, all buildings, structures and works, access roads, supporting infrastructure, property lines and adjacent and affected buildings, structures and uses and Natural Heritage Features.
- c) An agricultural study will be required to justify the need to locate such systems on prime agricultural lands, based on the policies of this Plan.

4.2.4.4.2 Coordinated Information Requirements

The Town recognizes that there are other information requirements which may be satisfied through the contents of reports and/or studies submitted to other approval authorities with respect to an undertaking under the Canadian and/or Ontario *Environmental Assessment Act*, including Environmental Screening, Environmental Review and/or Individual Environmental Assessment requirements and Certificates of Approval. These reports and/or studies may also be submitted to the Town to satisfy the Town's information requirements.

The following identifies areas of interest and coordinated information requirements which the Town will review in their consideration of an application for a Large Scale Generating System:

- a) A Management Plan which may include, but not limited to:
 - i) Procedures for rehabilitation/reinstatement of temporary disturbance areas.
 - ii) Construction details concerning staging, access, silt control, construction areas, hours of construction, and any temporary structures.

- iii) Traffic management which details volumes, frequencies and haul routes of construction and supply vehicles. Haul routes should minimize impacts on existing services/infrastructure and local residents.
 - iv) Decommissioning details where the proposed energy system has a set lifespan and which should include the method of removal, reinstatement of the lands to their prior use, and the estimation of the costs of decommissioning and how this would be funded entirely by the developer, including the determination of securities.
 - v) Emergency management which includes details concerning on-site safety and measures to ensure emergency services personnel are adequately trained.
- b) An Environmental Impact Assessment, to determine the potential impact on any natural heritage feature or function, migratory birds, and the identification of measures required to mitigate the potential impact, in accordance with the policies of this Plan.
 - c) A visual impact study to determine the impact on the landscape as viewed from municipal roads, or other public lands and from Lake St. Clair and identify any required mitigation measures with respect to shadows, shadow flicker impacts, reflections, lighting, design, character, and location, among other considerations deemed appropriate by the Town.
 - d) A noise impact study to assess the project according to the requirements of the Ministry of the Environment to ensure that noise levels do not exceed the Ministry of the Environment's noise standards for sensitive land uses, and assess the potential and recommended mitigation measures to ensure noise levels are at an acceptable level.
 - e) Evidence to demonstrate that electromagnetic interference will not occur as a result of the proposed development. This evidence shall include necessary clearances from the Ontario Ministry of Government Services regarding potential impacts on the integrity of the Government of Ontario's Public Safety Network.
 - f) An Ice Throw Report to assess the likelihood and recommend mitigation measures from the potential for falling ice from the turbine tower and its blades.

4.3 Human Environment

Planning for the human environment promotes the community's quality of life and ensures that housing for special needs of socio-economic groups such as seniors, the physically challenged, and low-income persons are being met. Furthermore, it provides adequate opportunities for education, recreation and the arts.

4.3.1 Housing

The provision of housing is an essential part of planning in the Town. There are many factors that affect supply and demand in the housing market, and only some of them can be managed by the municipality. The Town may influence the location, timing and scale of development through the provision of infrastructure and the review of residential development proposals. It is desirable to have close cooperation between all levels of government and the private sector in order to provide for sufficient, diverse and affordable housing, and a stable residential housing market.

4.3.1.1 Supply of Lands for Housing

The following will be the policy of the Town:

- a) At all times, the Town will maintain the ability to accommodate residential growth for a minimum of 10 years through intensification and infill development and land which is designated and available for residential development. Additionally, the Town will ensure that where new development is to occur, land with servicing capacity is available to provide at least a 3 year supply of residential units in draft approved and registered plans, or in cases of residential intensification and redevelopment, land appropriately zoned in the Zoning By-law and available for development or redevelopment.
- b) Given the strong growth pressures anticipated by the Town and the forecasted growth within the planning horizon, the Town will strive to maintain the ability to accommodate residential growth for up to 15 years through intensification and infill development and land which is designated and available for residential development. Additionally, the Town will strive to ensure that where new development is to occur, land with servicing capacity is available to provide up to a 6 year supply of residential units in draft approved and registered plans, or in cases of residential intensification and redevelopment, land appropriately zoned in the Zoning By-law and available for development or redevelopment.

- c) The distribution of forecasted population growth over the planning horizon will generally be in accordance with Table 4.1.

Table 4.1 – Population Forecast by Growth Area

Growth Area	2031
Combination of Maidstone and Belle River	34,985
Waterfront Residential Area	5,470
Stoney Point	3,370
Lighthouse Cove	1,980
Rochester Place/Deerbrook and St. Joachim	1,720
Comber	1,195
North/South Woodslee	1,025
Urban Fringe Area	650
Sub-Total Urban	50,385
Agricultural Area/Small Hamlets	8,710
Total Forecast Population Growth	59,095

Note: Numbers may not add up precisely due to rounding

- d) The Town will ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs will be encouraged.

4.3.1.2 Residential Intensification

The intensification of urban residential development reduces the need to use vacant designated land on the periphery of the Urban Areas. It also reduces the need for urban expansions encroaching into the Agricultural Area. Urban residential intensification, infilling and redevelopment of existing areas allows for the efficient provision of urban services, thereby helping to minimize the costs of providing services while meeting an important component of the Town's housing needs.

The following will be the policy of the Town:

- a) Housing will, in part, be provided through urban residential intensification, which may include any of the following:
- i) small scale intensification through modifications to an existing dwelling to include a second unit or construction of a new building containing one or two units;
 - ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods; and/or
 - iii) redevelopment which includes either the replacement of existing residential uses with compatible new residential developments at a high density or the

replacement of non-residential uses with compatible residential or mixed use development with a residential component.

- b) The Town may undertake a residential intensification study to determine what percentage of residential growth will be targeted through infill, intensification and redevelopment of Urban Areas. The study will assess the potential for increasing the housing supply within the existing designated Urban Areas. The study would investigate matters such as potential land use conflicts, development standards for intensification, availability of vacant land for infill development, adequacy of municipal services, condition of the housing stock and significant physical constraints.
- c) The Town will consider applications for infill development, intensification and redevelopment of sites and buildings through intensification based on the following criteria:
 - i) the development proposal is within an Urban Area, and is appropriately suited for intensification in the context of the community;
 - ii) the existing water and sanitary sewer services can accommodate the additional development;
 - iii) the road network can accommodate the traffic generated;
 - iv) the proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
 - v) the proposed development is consistent with the policies of the appropriate land use designation associated with the land.
- d) The Town will monitor intensification activity and, through the development approvals and building permitting process, ensure that such proposals can be satisfactorily integrated with the physical characteristics of residential and commercial areas and proper health and safety standards are maintained. Land use compatibility and urban design assessments may be required as a component of the planning rationale report accompanying development applications, as outlined under Section 8.3.1 of this Plan.
- e) Small scale intensification will be permitted in all areas designated for urban residential use, except where infrastructure is inadequate or there are significant physical constraints.
- f) The Town will support appropriate urban residential infill and intensification proposals in Community Improvement Project Areas, provided the proposal conforms to the policies of this Plan and the applicable Community Improvement Plan.
- g) The Town recognizes that Urban Areas are not static, and will support appropriate redevelopment, infill and intensification proposals that:
 - i) respect and reinforce the existing physical character of the buildings, streetscapes and open space areas;
 - ii) is compatible with the surrounding development;

- iii) provide heights, massing and scale appropriate to the site and compatible with adjacent lands;
 - iv) provides adequate privacy, sunlight and sky views for existing and new residents; and
 - v) screens loading and service areas.
- h) The Town will work with the County of Essex in identifying opportunities and targets for intensification, infill and redevelopment, and the Plan will be amended to incorporate such targets.

4.3.1.3 Affordable Housing

- a) The provision of housing that is affordable and accessible to low and moderate income households will be a priority. The Town will work with the County of Essex to identify targets for housing that is affordable to low and moderate income households and the Plan will be amended to incorporate such targets.
- b) The Town will encourage the provision of affordable housing through:
- i) supporting increased residential densities in appropriate locations and a full range of housing types, adequate land supply, redevelopment and residential intensification, where practical;
 - ii) the timely provision of infrastructure in the Urban Areas;
 - iii) supporting the reduction of housing costs by streamlining the development approvals process;
 - iv) negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process;
 - v) considering innovative and alternative residential development standards that facilitate affordable housing and more compact development form; and
 - vi) possibly developing a Municipal Housing Strategy with annual housing targets, mixes of housing types, affordability thresholds and related data.
- c) The Town may adopt a Municipal Housing Facilities By-law to develop affordable housing as a “community facility” under the *Municipal Act*. In an effort to facilitate affordable housing the Town may:
- i) enter into capital facility agreements and/or partnerships with both private and non-profit organizations for affordable housing;
 - ii) use available grants and loans, including tax-equivalent grants or loans to encourage the construction of affordable housing; and
 - iii) enter into public/private partnerships for the provision of new affordable housing.
- d) The Town will encourage innovative and appropriate housing development that exhibits design and adaptability characteristics, and may represent non-traditional additions to the Town’s housing stock.

- e) The Town will actively discourage the conversion of affordable rental housing stock to freehold if such conversion results in a reduction in the amount of rental housing available to an unacceptable level.
- f) The Town will encourage that affordable housing be considered when opportunities for redevelopment become available. This includes the redevelopment of existing single-use and underutilized areas with full municipal services, such as shopping plazas, business and employment sites and older commercial and residential areas, especially where the land is in close proximity to human services. Special attention will be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed redevelopment is physically compatible with the adjacent uses.
- g) The Town will develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures, except in locations serviced by individual or communal sewage disposal systems.
- h) The Town will first consider surplus municipal land for affordable housing. Furthermore, the Town will work with other levels of government to make surplus land available to providers of affordable housing at little or no cost.
- i) The Town will encourage opportunities for more affordable housing to be provided in the Primary Nodes.
- j) The Town will consider opportunities for permitting additional units in existing dwellings.
- k) The Town recognizes the value of older residential neighbourhoods and will support the maintenance and improvement of established neighbourhoods and older housing stock through measures such as participation in senior government programs.
- l) The Town will encourage the development of low income housing geared towards seniors, which may include lower maintenance housing types such as condominiums and townhouses.
- m) The Town will encourage affordable housing in a variety of building forms to meet the housing needs of a socially and economically diverse population in support of a broad range of employment opportunities.

4.3.1.4 Special Needs Housing

Special needs housing includes housing for the physically and developmentally challenged and disabled, chronically mentally ill, youth and children with emotional difficulties, seniors, those requiring emergency shelter, assisted housing accommodating individuals, and households with low to moderate incomes. The Town intends to improve access to housing for those people with special needs, including assisted housing for low income people, seniors housing,

as well as various forms of supportive housing, including group homes and emergency/transitional housing, subject to the policies of this Plan.

The following will be the policy of the Town:

- a) The Town will work with other agencies and local groups to assess the extent of the need of these forms of housing.
- b) The Town will support community agencies interested in pursuing additional funding from the Provincial government to address identified needs for special needs housing.
- c) The Town will support the distribution of special needs housing provided by community groups.
- d) Group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff) live as a unit under responsible supervision. The home is licensed or approved under provincial statute. Group homes will not be concentrated and will be generally located throughout the Urban Areas and Hamlet Areas. To prevent an undue concentration of group homes, the provisions in the Zoning By-law will address the separation distances, spatial location, number, type and size of group homes. Group homes will be compatible with adjacent uses. Existing facilities that do not comply with the requirements will be allowed to continue but will not be permitted to expand without a minor variance or zoning by-law amendment. Group homes with any correctional purpose will be treated as an institutional, and not a residential use by this Plan and the Zoning By-law.
- e) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a group home, hostel, temporary shelter, emergency shelter or other similar form of special needs shelter, the Town will be satisfied that:
 - i) the traffic generated from the facility can be adequately accommodated by the road network and will not have a significant impact on adjacent land uses, particularly residential uses;
 - ii) the facility is of a design which maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding area and immediate neighbourhood;
 - iii) the land, buildings and structures for the proposed facility conform to the provisions of the Zoning By-law, including those related to parking requirements, ensuring that on-site parking is sufficient to meet the needs of residents, support staff and visitors; and
 - iv) where appropriate, that a licence has been granted by the licensing Provincial or Federal agency.

- f) Aging-in-place for seniors will be encouraged so that:
 - i) individuals living in a non-healthcare environment, will have access to municipal services and amenities so that they may carry out their daily life without having to relocate as their circumstances change; and
 - ii) where the above is not suitable due to the physical or mental condition of the individual, independent living, assisted living and skilled nursing is available in residences for seniors, such as in a continuing care retirement community.
- g) Long-term care facilities that meet the needs of the community will be encouraged.
- h) The Town will endeavour to provide a barrier-free environment where possible.
- i) The Town will have regard for the requirements of the *Ontarians With Disability Act* and:
 - i) Prepare a Joint Accessibility Plan every year covering the identification, removal and prevention of barriers to persons with disabilities in by-laws and policies, programs, practices and services;
 - ii) Establish a Joint Accessibility Advisory Committee, the majority of members being persons with disabilities, to address accessibility issues for the Town;
 - iii) Seek the advice of the Joint Accessibility Advisory Committee on the accessibility of all existing and new municipal facilities, and if appropriate, on the accessibility of development proposed in Site Plan Approval applications; and
 - iv) The Joint Accessibility Advisory Committee will advise Council annually about the preparation, implementation and effectiveness of the Joint Accessibility Plan.

4.3.1.5 Special Housing Forms

There are a number of unique housing forms that promote the policies of this Plan. However, several forms of housing require additional policy guidance to ensure compatibility, public safety and protection for Town residents. The following policies apply to such housing forms, including accessory dwellings, garden suites, and mobile homes.

The following will be the policy of the Town:

- a) The Town will determine, at its sole discretion, when a housing form will be evaluated as a special housing form.
- b) The Town may deem the special housing form to be subject to site plan control in accordance with Section 8.3.4 of this Plan.
- c) The proposed special housing form will have regard to the type of housing in the surrounding neighbourhood and will be compatible with it. Standards to ensure

compatibility with the surrounding neighbourhood will be provided in the Zoning By-law.

4.3.1.6 Accessory Residential Dwellings

Accessory residential dwelling units will be defined as separate and complete dwelling units that are contained within the structure of a single detached residential dwelling. Where permitted by the policies of Section 6.0 of this Plan, the following policies will apply to the development of accessory residential dwellings:

- a) A maximum of one accessory residential dwelling unit will be permitted per lot, through a site-specific Zoning By-law amendment and subject to site plan control. The Town will identify any specific requirements and limitations which should be included in the, Zoning By-law amendment, site plans and agreements, or otherwise made a condition of approval. Where another special housing form, including a garden suite or mobile home exists on the lot, as determined by the Town, an accessory residential dwelling unit will not be permitted.
- b) Appropriate municipal sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction.
- c) Development of an accessory residential dwelling unit will be subject to the following criteria:
 - i) the structural stability of the building is adequate to accommodate the alterations necessary for an additional dwelling unit;
 - ii) exterior changes to the structure will be minimal;
 - iii) compliance with the provisions of the Ontario Building Code, the Fire Code and all other relevant municipal and Provincial standards, including the Zoning By-law; and
 - iv) the unit is incidental to the main permitted residential use, is located within the existing main building and does not exceed one-third of the total habitable floor space.

4.3.1.7 Garden Suites

Garden suites, which are also commonly referred to as “granny flats”, are one-unit accessory residential dwellings that take the form of a small building, physically separate from the principal dwelling unit with which it is associated, contain bathroom and kitchen facilities, and are designed to be portable. The following policies will apply to the development of garden suites:

- a) A garden suite is generally discouraged within a Settlement Area.
- b) A single garden suite may be permitted on a lot within the Agricultural Area, by way of a Temporary Use By-law, in accordance with the policies of Section 8.3.2.2 of this Plan

and Section 39 of the *Planning Act*. A garden suite will only be permitted in association with a single-detached residential dwelling on a lot. Where another special housing form, including an accessory dwelling unit or mobile home exists on the lot, as determined by the Town, a garden suite unit will not be permitted. In addition to the requirements of Section 8.3.2.2, prior to approval of the Temporary Use By-law, the Town will be satisfied that:

- i) a legitimate and justified need exists to accommodate a person, who is most likely disabled, elderly or retiring, in a separate garden suite unit that is in close proximity to the principal unit;
- ii) appropriate municipal sanitary sewage, stormwater management and potable water services will be provided, all to the satisfaction of the approval authority having jurisdiction;
- iii) In locating the garden suite, the Province's Minimum Distance Separation Formulae will apply, as appropriate.
- iv) the exterior design of any proposed unit in terms of height, massing, scale and layout will be consistent with the residential land uses in the Agricultural Area;
- v) the siting of the unit and any related features will have a minimal effect on light, view and privacy of adjacent yards;
- vi) the use is temporary and will only be required for a limited period of time; and
- vii) the unit must be removed once the legitimate need no longer exists.

4.3.1.8 Mobile Homes

It is recognized in this Plan that mobile homes may be a suitable housing alternative in certain circumstances. The following polices will apply to the use of mobile homes:

- a) The accommodation of temporary farm help may include mobile homes. A consent will not be permitted to place the mobile home on a separate lot.
- b) Individual mobile homes and mobile home parks may be permitted to locate or expand within Settlement Areas, but will be discouraged in established residential neighbourhoods, Primary Nodes, Secondary Nodes, Mixed Use Nodes and the County Road 22 Mixed Use Corridor.
- c) The establishment of new mobile home parks or the expansion of existing mobile home parks within the Agricultural Area will only be permitted in accordance with the Urban Area expansion policies of Section 3.3.1 c).
- d) New mobile home parks, and expansions to existing mobile home parks will only be permitted if serviced by municipal sanitary sewage, stormwater management and potable water services.

4.3.2 Community Services & Facilities

Through the development and implementation of a Community Services Master Plan, the Town will endeavour to provide adequate community services and facilities to meet the needs

of the Town's existing and future residents, businesses and visitors through the provision of adequate opportunities for education, care, parks, open space and recreation, libraries, places of worship, cultural and heritage facilities, health and safety.

The following will be the policy of the Town:

- a) In consultation with the School Boards, the need for new schools will be identified. Where closure and sale of a school is proposed, the open space component of the school site may be retained or incorporated in a redevelopment proposal.
- b) A wide-range of alternative educational opportunities will be encouraged to support life-long learning and skills development, including apprenticeship, co-operative learning and adult education.
- c) The provision of social infrastructure (e.g., daycare centres) will be encouraged within larger development proposals. The Town may facilitate the provision of social infrastructure through bonusing policies that allow for increased development density where a developer provides certain facilities.
- d) The Town will encourage the provision of community-serving health care facilities, which will be directed to the Primary Nodes.
- e) New development will be served with adequate emergency services. Stations for emergency vehicles will be located on arterial roads. New stations will be designed to minimize negative noise, traffic or other impacts.
- f) Museums, theatres, cultural facilities, places of worship, health care facilities and recreation facilities in the Town will be supported.
- g) The Town will encourage the provision of libraries to provide important cultural and community resources for learning, research and community activities.

4.3.3 Recreation

The provision of a variety of recreational opportunities is critical to maintaining healthy communities in the Town of Lakeshore. The Plan strives to ensure that sufficient recreational, open space and park facilities are provided within the Town to meet the leisure needs and desires of the present and future residents, businesses, as well as visitors to the Town. The lakeshore provides the Town with a valuable recreational resource and opportunities to use this resource in an appropriate and sustainable manner will be encouraged.

The following will be the policy of the Town:

- a) The Town will promote appropriate recreational development in parks, open spaces, along the lakeshore and other similar areas of the Town that provide opportunities for active, passive and programmed community recreation and leisure, and that contribute to the preservation and protection of open space and the natural environment.
- b) The Town will work cooperatively with various government ministries, resource agencies, and non-governmental authorities to promote natural resource-based recreational opportunities.
- c) In areas suitable for recreation, public open space will be encouraged along the lakeshore. The recreational resources of the lakeshore will be protected and enhanced. Land along the lakeshore in the ownership of the Town will be maintained for public access to the lakeshore and for public access to beaches on publicly owned properties.
- d) The Town will encourage private recreation development to complement public recreational opportunities, and encourage and support involvement by private recreation groups within the area.
- e) The Town will assess the feasibility of acquiring private land along the lakeshore for public park or open space uses.
- f) The Town will promote the provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses.

4.3.3.1 Parks & Open Space

The Town's Parks and Open Space Master Plan will provide a parks classification system for the planning, development and delivery of parks and open space resources. The parks classification system will respond to and support the various parks and recreational needs of the Town. The Town will carry out programs to acquire new parks, improve existing parks and facilities and provide public parks to meet the needs of the community, as well as to address existing park deficiencies.

The following will be the policy of the Town:

- a) The Town will secure the maximum benefit of the *Planning Act* with respect to parkland dedication from development. Parkland dedication will be conducted in accordance with Section 4.3.3.3 of this Plan.
- b) Provision for parks will generally be in accordance with the park classification standards outlined in this Section.

- c) Where parks are located adjacent to existing and proposed residential areas, appropriate measures may be taken to minimize potential adverse effects associated with recreation activity areas and parking areas.
- d) The Town's parks and open spaces will provide venues for a diverse range of both structured and unstructured, active and passive leisure pursuits for children, teens, adults and seniors to pursue activities of personal interest, skills development, and volunteering active engagement in community life.
- e) The Town's parks and open spaces will provide opportunities to enhance resident physical, mental and social well-being and health via venues that allow the pursuit of activities that support fitness, such as sports and trail usage; social development through play, volunteering and meeting fellow residents; and the pursuit of reflective and stress reducing activities.
- f) The Town's parks and open spaces will provide venues to protect and conserve valued nature resources, such as woodlots, marshes, waterfronts, and other natural features vital to a healthy and sustainable ecology and natural environment, as well as to recognize and sustain valued historical and heritage venues that have contributed to both the community's historical development and identity.
- g) The Town's parks and open spaces will provide lands that contribute to more liveable, healthy, functional and sustainable urban forms amongst the many land uses within the municipality. Parks and open spaces will also provide lands that contribute to the greening and beautification of the municipality via both natural and planted materials and venues, and will create unique identifiers and focal points for the community.
- h) The Town's parks and open spaces will provide benefits to the local economy through the attraction of visitors and tourists to sport tourism and special events; to the beaches, waterfronts and trails; to natural and heritage venues; and other opportunities.

4.3.3.1.1 Neighbourhood Parks

The following will be the policy of the Town:

- a) Neighbourhood Parks are lands primarily located in residential areas. They are intended to be designated, developed, operated and maintained to support the leisure interests of residents within the immediate area of the park.
- b) Access to Neighbourhood Parks is principally intended to be via pedestrian routes on foot or via bicycles and other non-vehicular transport. The range of site development will vary from venue to venue, depending on the site's size, configuration and relationship with neighbouring land uses, as well as the needs of the population being served. Potential uses for a Neighbourhood Park are:
 - i) various playground elements, either integrated or on a stand alone basis;

- ii) multi-purpose and/or hard service courts for basketball, tennis, badminton, shuffleboard and other similar activities including their potential use as an outdoor ice rink in the winter;
 - iii) practice or non-programmed sports fields;
 - iv) areas for playing chess, table games, summer playground camps and unorganized play;
 - v) wading pools or splash pads;
 - vi) tobogganing slopes for winter use; and
 - vii) amenities, involving benches, shade areas, gardens/planting and appropriate signage
- c) Neighbourhood Parks will typically involve mixed land forms of table land, and undulating lands, with or without vegetation. However, safety and security concerns, access routes, visibility and the ability to develop appropriate Neighbourhood Park facilities are the primary site selection criteria.
- d) Neighbourhood Parks should service an area of up to a 15 minute walking distance, or one kilometre. Their size would typically range from between 0.6 and 4.0 hectares.
- e) Neighbourhood Parks would typically be located central to the service area, with extensive street frontage, and could be developed in conjunction with adjacent elementary or secondary schools, local libraries, or other public or not-for-profit venues.
- f) Neighbourhood Parks could have portions of their site maintained in a natural state, or have active re-naturalization components. In some cases, were required to provide effective servicing, Neighbourhood Parks could form components in Community or Municipal Parks. Such a strategy, when implemented, will not reduce the land requirement for park and open space service standards.
- g) Sports fields within neighbourhood parks should not be lit due to the potential impacts on adjacent residential areas. Trails and paths through neighbourhood parks and linking public uses may be lit.

4.3.3.1.2 Community Parks

The following will be the policy of the Town:

- a) Community Parks are intended to serve communities or districts within the Town, which could involve two or more neighbourhood areas. They are intended to provide a range of more specialized activities that services population levels beyond individual neighbourhoods.
- b) Typical uses for a Community Park would include:
 - i) trail linkages;
 - ii) smaller natural areas, woodlots or similar features;

- iii) a site for recreational and competitive sport fields, either lighted or unlit;
 - iv) recreation facilities, such as arenas, indoor pools, libraries, community centres and related uses;
 - v) stadiums, track and field related facilities;
 - vi) picnicking, free form play and open space areas;
 - vii) outdoor pools, splash pads, skateboard parks, medium to large scaled or specialized playground facilities;
 - viii) gardens, arboreta and related maintained or natural area components;
 - ix) amenity buildings for washrooms, change rooms, concessions, storage and meetings;
 - x) spectator seating and support amenities; and
 - xi) off-street parking area(s), walkways and signage.
- c) Components of a Neighbourhood Park could be considered a Neighbourhood Park. They may have natural areas and/or active regeneration sites.
- d) Community Parks would generally be in the size of 2.0 to 15.0 hectares. They are preferred to be within or in close proximity to residential areas. Access should be reasonably achievable by public transit, roadways, sidewalks and trails/pathways.
- e) Community parks are encouraged to be located adjacent to secondary school sites in particular, but also possibly larger elementary school sites, public libraries, colleges or similar venues.

4.3.3.1.3 *Municipal Parks*

The following will be the policy of the Town:

- a) Municipal Parks cover a range of venues that serve the whole community. They can be small or large venues for both active and passive leisure, heritage or conservation functions.
- b) Municipal Parks are designed to serve all the residents of the community, in terms of either broad or specialized interests. They tend to provide unique or one-of-a-kind leisure activity opportunities. This classification of parkland is sub-divided into the following components for specific development and use applications.
 - i) beaches and waterfront;
 - ii) significant sports fields, lighted or unlit with spectator seating, stadium amenities, etc.;
 - iii) urban beautification and green areas, or venues that contribute to the Town's urban form;
 - iv) natural areas and open spaces intended for conservation or significant natural/environmental features and heritage venues;
 - v) community trails; and
 - vi) cemeteries.

- c) Typical uses for a Municipal Park would include:
- i) larger and unique sports facilities, with seating, often for inter-city play at a junior or higher level of competition;
 - ii) marinas, beaches, boardwalks and related waterfront areas;
 - iii) major recreation facilities, including auditoriums, a central library, large community centres, aquatic complexes, museums and art galleries, cultural centres and similar community facilities;
 - iv) community trails at a local, regional, provincial or national service levels;
 - v) natural environmental areas, such as woodlots, maintained gardens and planting, conservation lands or unique natural landmarks;
 - vi) heritage resources, involving cenotaphs, memorials, art work, historical materials/buildings and related resources;
 - vii) amenity buildings, involving washrooms, concessions, change rooms, storage and meeting areas;
 - viii) large and/or specialized playgrounds/play areas and features, often unique in scale and theme;
 - ix) lighted parking lots, walkways, sports fields and other facilities;
 - x) a range of land configurations in terms of open space, natural areas, areas of active natural regeneration, slopes, table lands and related features; and
 - xi) off-street parking, signage, gardens and plant areas and related supports.
- d) Municipal Park venues can come in a wide range of sizes, from small urban green lands that may have shade areas, shade shelters and planting beds; to large open tracts that could be in excess of 50 hectares.
- e) Municipal Park will be accessible by road, and where possible, via trail networks, public transit, sidewalks and related means of access. The venues should have significant street/road frontage visibility, with appropriate lighting, safety and security measures.
- f) Municipal Parks can have Neighbourhood and Community Park components designated within the overall venue when required to support these service levels in the immediate residential areas. Municipal Parks can be located anywhere within a Municipality as they are often site-specific in terms of the features or services that are to be provided and/or conserved.

4.3.3.1.4 Regional Parks

The following will be the policy of the Town:

- a) Regional Parks are designated and intended to draw users from both the Town and the broader Essex and South Western Ontario region and Michigan area. They are intended to have significant tourist capacity to draw visitors from neighbouring municipalities due to the scale, specialized theme or enhanced accessibility of the venue.

- b) Regional Parks can be developed by the municipality, either alone, or in partnership with other municipal jurisdictions, the province, the Conservation Authority or other partners.
- c) Regional Parks are developed around a specific theme, such as a beach, natural area, cultural or heritage resource, landscape feature or related consideration. As a result, they can be located anywhere in the municipality, and have no specific size, design, accessibility or related development characteristics, as these are dependent on the purpose and scale of the site.
- d) Regional Parks could have components within them that are identified for Neighbourhood, Community or Municipal Park functions if proximity and access meets the standards as delineated for these particular park classifications.
- e) The development of Regional Parks will need to consider the following supports:
 - i) off-street parking and amenity facilities such as washrooms, storage areas, concessions and related supports;
 - ii) signage, street visibility, lighting, security and related supports;
 - iii) undeveloped natural areas, active areas or re-naturalization and conservation strategies; and
 - iv) visitation and conservation management strategies and design features.

4.3.3.1.5 Specialized Park (Lakeview Park)

The Community Services Master Plan, has identified Lakeview Park as a Specialized Park. Lakeview Park provides the community's primary access to the Lake St. Clair waterfront for park, recreation, water activity and related leisure pursuits for the Town. Lakeview Park is intended to be expanded both in terms of the park's size and its provision of services to support the recreational needs of the Town's residents and provide for a regional tourist destination.

The following will be the policy of the Town:

- a) In accordance with the Community Services Master Plan, the Town intends to acquire private properties to the west and east of the current Town-owned lands in order to expand the park's size and as a basis to increase the level of water sport activities. The intended range of water sport and related park activities may include, but are not limited to:
 - i) swimming, boating, fishing, and other water-related activities;
 - ii) special events, such as fishing derbies, concerts, and theme days;
 - iii) nature interpretation and educational opportunities;
 - iv) conservation strategies to protect the vegetation, shoreline, beaches and related natural and artificial features;
 - v) contemplative and walking areas related to trails and shaded bench areas; and

- vi) ancillary support services such as food and beverage services, seasonal activity pavilions, parking, washrooms, retail operations that support on-site activities and related uses.

4.3.3.2 Linked Open Space & Natural Heritage System

Through the preparation of the Town's Community Services and Facilities Master Plan it is a Town initiative to undertake a Natural Heritage System Strategy to create a linked parks and open space and natural heritage system, where possible. The Essex Region Biodiversity Conservation Strategy provides guidance with respect to the restoration and enhancement of the natural heritage system.

The following will be the policy of the Town:

- a) In addition to those options for the acquisition of land outlined in Section 8.3.9, the Town may create linked open spaces through the integration of:
 - i) Natural Heritage Features in public ownership, including land owned by the Town, ERCA, LTVCA, Provincial and Federal Ministries and land trusts;
 - ii) abandoned rail lines in public ownership;
 - iii) existing rights-of-way;
 - iv) established and proposed service and utility corridors;
 - v) existing parkland and open space lands;
 - vi) sidewalks and pathways;
 - vii) linkages provided through the draft plan of subdivision approval process;
 - viii) agreements with private land owners;
 - ix) retention or acquisition of access easements; and
 - x) land acquisition.
- b) Throughout the Town there are a number of railroad transportation corridors. Should any of these corridors become surplus to the railroad, the Town will investigate the feasibility of acquiring portions of the railway corridors for linear trail systems.
- c) Throughout the Town there are a number of navigable waterways flowing into Lake St. Clair. The Town supports the provision of recreational trail opportunities and access along these waterways.
- d) Design principles should be established to accommodate parking at strategic locations along the linked system.
- e) The Town will actively encourage residential, commercial and industrial developers to connect with and provide opportunities to extend the community trail system.
- f) Land deemed by the Town to be significant to the linear park system will be retained in public ownership for the purpose of implementing a linear park system.

4.3.3.3 Parkland Dedication

The Town will secure the maximum benefit of the *Planning Act* with respect to land dedication for park development and will strive to meet the policies of Section 4.3.3 of this Plan relating to park development. The following policies will apply to parkland dedication:

- a) Parkland dedication will be calculated based on the total gross area of the land within the plan of subdivision and/or site plan.
- b) Where land is to be developed for residential purposes, the Town may require the conveyance of land for park purposes or the equivalent cash-in-lieu in accordance with the maximum of the following criteria or combination thereof:
 - i) five percent (5%) dedication of the gross area of the land proposed for development; and/or
 - ii) dedication at a rate of one hectare per 300 units.
- c) Where land is developed or redeveloped for industrial or commercial purposes, the Town may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of two percent (2%) of the gross area of the land proposed for development.
- d) Where land in a draft plan of subdivision is to be used for any use other than residential, industrial or commercial purposes, the Town may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of five percent (5%) of the gross area of the land proposed for development.
- e) The Town will only accept parkland dedication land resources under the following circumstances:
 - i) the lands meet the park and open space classification and hierarchy standards and provision requirements of Section 4.3.3;
 - ii) the lands effectively support the development of park and open space based facilities and amenities in accordance the Section 4.3.3; and
 - iii) the lands are not identified as hazard lands, significant woodlots, ravine lands, stormwater management ponds and related undevelopable lands.
- f) The Town may accept cash-in-lieu of the land dedication to be paid into a special account and used as specified in the *Planning Act*. The Town will consider cash-in-lieu of parkland dedication under the following circumstances:
 - i) where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland to meet the intended park and opens space requirements in accordance with Section 4.3.3;
 - ii) where the required dedication of land would render the remainder of the site unsuitable or impractical for development;
 - iii) the area is well served with park and open space lands and no additional parks and open spaces are required; and/or

- iv) where the Town is undertaking broader land acquisition strategies for Community, Municipal, or Regional Parks and it is preferable to have consolidated parkland of a substantial size servicing a wide area.

- g) Where new development is proposed on a site, part of which has physical limitations or hazards, then such land will not necessarily be acceptable as part of the land dedication under the *Planning Act*. All land dedicated to the Town will be conveyed in a physical condition satisfactory to the Town, and will meet minimum standards in terms of drainage, grading and general condition. The lands will also be in full compliance in regards to any environmental hazards, contamination or related requirements.

- h) As a condition of development approval, a proponent will be required to provide a park facilities design satisfactory to the Town for any park within the development. The park facility design will have regard to Section 4.3.3 of this Plan. However, in order to ensure that the size, configuration and orientation of the park is such that it can be programmed in an efficient manner, it may be necessary to prepare a park facilities design prior to development approval.

4.4 Economic Environment

An Economic Development Strategy has been prepared for the Town of Lakeshore which identifies action plans to achieve a healthy and prosperous economic future for the Town. Economic sustainability and the fostering of economic development opportunities are critical underlying objectives of this Plan. In order to respond to changing economic conditions, this Plan maintains an appropriate land use framework to accommodate evolving land use needs as they relate to economic activity. The Town encourages economic development in a manner that balances social, cultural, natural environment and other initiatives.

Manufacturing in the Town is diversifying and while the automotive industry remains important the Town is moving towards higher value-added automotive industries. The Town is emerging as a main centre for the design and production of advanced automotive systems and a leader in key new clusters in plastics, pharmaceuticals and agriculturally-related manufacturing processes. The success of the Town's multi-faceted agricultural economic development strategy is evident through the continuation of viable traditional agriculture and related processes including bio-related products.

This Section of the Plan addresses broad areas and influences of economic activity, including the locations of economic activity, tourism, and the Town's waterfront, and retail uses. Furthermore, economic development policies relating to agriculture, employment areas, natural resources, and retail and services are identified throughout this Plan.

4.4.1 *Locations of Economic Activity*

Economic activity takes many forms. However, some forms of economic activity have locational requirements that need to be met in order to provide an optimal environment for economic success. For example, concentrated employment activities including industrial parks have specific requirements such as access to transportation networks and services, while tourism activities require access to transportation networks, resources, and amenities. This Plan focuses specific types of economic activity in the environment best suited to their success.

The following will be the policy of the Town:

- a) The Town will promote opportunities for economic activity by adopting different strategies for different parts of the Town in an effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing development they require to thrive.
- b) Intensive employment uses will be directed to Employment Areas and will be located adjacent to or in close proximity to Provincial Highways and major arterial roads where an appropriate level of municipal services are provided, in accordance with Section 3.3.2 of this Plan.

- c) Commercial, retail and office employment uses will be encouraged in the Primary Nodes to create strong central business district environments.
- d) Commercial uses which support agricultural activities may be permitted in Agricultural Areas where proximity to agricultural operations is required.
- e) Tourism uses will be encouraged in close proximity to areas of natural and recreational amenity, areas of natural heritage appreciation, and the lakeshore areas, where appropriate.
- f) The Town supports the use of Community Improvement Plans to proactively stimulate community improvement, rehabilitation and revitalization of areas in need of improvement.
- g) The Town will support the expansion and development of transportation, parking and telecommunications infrastructure to increase the locational advantage of existing and proposed business and employment uses.
- h) Proximity to Lake St. Clair provides a critical locational advantage to the Town in terms of wind energy production. In accordance with the policies of this Plan, the Town will support and promote wind energy generation, where appropriate.

4.4.2 *Tourism*

The Town may prepare a tourism strategy to promote tourism development. The Town of Lakeshore offers a range of tourism assets and opportunities, which include the waterfront recreational uses associated with Lake St. Clair, cultural and heritage resources, parks and open spaces, and areas of agricultural and natural amenity.

The following will be the policy of the Town:

- a) The Town may develop a tourism strategy to identify the Town's tourism assets and opportunities to promote and enhance tourism.
- b) The Town may promote agriculturally related tourism and identify such current and potential uses and provide a regulatory framework to promote the growth of agriculturally related tourism.
- c) The Town may promote the maintenance and improvement of existing tourism and tourist destination-oriented uses in the Town and encourage the establishment of additional tourism opportunities in the form of accommodation facilities, and appropriate entertainment and recreational attractions.
- d) The Town recognizes and supports the development of tourism uses within the Urban Areas and the Lake St. Clair waterfront that will encourage visitor stops, provided such uses do not detract from the principal functions and uses of these areas. Such initiatives may include support for:

- i) tourist-recreational activities associated with the lakeshore and initiatives to enhance the Primary Nodes;
 - ii) promotion of connected multi-purpose trails systems connecting Lakeshore's Urban Areas and natural amenities;
 - iii) new and existing tourism related attractions such as a craft market, farmer's market, summer theatre and outdoor festivals, particularly if such uses are located to encourage interaction with the major activity nodes in the Primary Nodes or on the waterfront;
 - iv) establishment of Heritage Districts to promote cultural heritage resources, particularly in the established Primary Nodes; and
 - v) bed and breakfast accommodations in accordance with the policies of this Plan.
- e) The Town will support the development and promotion of scenic, recreational and educational parkways with well signed and interesting attractions along the Lake St. Clair shore and throughout the Town.
- f) The Town supports the maintenance and improvement of accommodations for tourists, including hotels, motels, bed and breakfast establishments and camping facilities.

4.4.3 Commercial Structure

This Plan promotes a range of local and regional-serving commercial and retail opportunities particularly directed to the Primary Nodes, Mixed Use Nodes and the County Road 22 Mixed Use Corridor, and to a lesser extent, within the Urban Areas and Secondary Nodes.

The following will be the policy of the Town:

- a) The Town may undertake a comprehensive retail strategy for the Town to consider the requirements for retail and commercial development within the Primary Nodes, Mixed Use Nodes and the County Road 22 Mixed Use Corridor.
- b) Prior to the completion of a comprehensive retail strategy for the Town, development proposals for major commercial and/or retail development are required to undertake the preparation of a Retail Market Study to the Town's satisfaction in accordance with the requirements of Section 4.4.3.1.
- c) Large Format Retail uses, as described in Section 6.10.1 of this Plan, will only be supported in the Primary Nodes, and Mixed Use Nodes as generally shown on Schedule "A" and designated on Schedule "C", and subject to satisfying the relevant considerations of this Plan, including a Retail Market Impact Study. The County Road 22 Corridor and Secondary Nodes are not appropriate locations for Large Format Retail Uses and are not supported by this Plan.

- d) The Town may undertake a Community Improvement Plan, in accordance with the policies of Section 4.2.2, and promote the economic revitalization of established Primary Nodes and Secondary Nodes, as a priority.

4.4.3.1 Retail Market Impact Study

A Retail Market Impact Study, where required by this Plan, will be completed to the satisfaction of the Town to assist the Town in determining the impact the proposed retail use(s) will have on the planned function of the Town's commercial structure. A peer review may be required at the expense of the proponent.

- a) A Retail Market Impact Study will:
 - i) identify the type and size of retail facility that is warranted or will be warranted by a certain year;
 - ii) provide updated information on the performance of the Town's retail sector or sub-sector that may potentially be impacted by the proposal, and identify the impact of the proposed development on other retail locations, particularly the Primary Nodes and Mixed Use Nodes;
 - iii) assess the availability and suitability of the Primary Nodes and Mixed Use Nodes as a location for the proposed development;
 - iv) demonstrate to the satisfaction of the Town that the proposed retail uses will not have a deleterious impact on the planned function of the Town's commercial structure, particularly the Primary Nodes, Mixed Use Nodes, and County Road 22 Mixed Use Corridor; and
 - v) enable the Town to identify the specific requirements and limitations which should be included in the amendment to this Plan, Zoning By-law amendments, site plans and agreements, or otherwise made a condition of approval.
- b) The cost of retail market impact studies and any other required supporting documentation will be borne by the proponent. Costs incurred by the Town in engaging peer review consultants to evaluate the proposal and supporting submissions will be reimbursed by the proponent.
- c) At the discretion of the Town, based on advice from the Town's peer review consultant(s), the preceding study requirements may be varied or waived where the Town is satisfied that sufficient information is already available to permit the above-noted requirements to be considered, or where a change in the content of required studies is deemed appropriate by the Town in order to generate information relevant to the intended implementation of the policies of the Plan.

5.0 PROTECTING NATURAL RESOURCE ASSETS

In partnership with the Federal and Provincial governments, the Conservation Authorities, and the County of Essex, the Town strives to protect natural resources and Natural Heritage Features and functions. It is a priority of the Town to ensure the sustainable use of resource assets, to protect and enhance significant natural features and functions, and to reduce the risk to public safety and property from hazards, such as flooding, unstable slopes and human-made hazards.

5.1 Water Resources

The Town contains many streams and rivers, draining to Lake St. Clair. Among other resources, the lake, streams and rivers support the natural environment and the existing community. Water resource issues arise from various forms of human activity. Demands on water resources can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating lake water quality, flooding and erosion.

The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by both existing residents and businesses, and supporting future growth. Integrating land management and the protection of water allows for the continuance of a healthy environment, solid economic development and healthy communities.

The Town contains two major watershed systems. The mouth and delta of the Thames River drains to Lake St. Clair in the northeast portion of the Town, adjacent to Lighthouse Cove. Various streams in the eastern quarter of the Town drain to the Thames River. The Lower Thames Valley Conservation Authority manages the lower reaches of the Thames River and its tributaries. There are several major rivers and streams that drain directly to Lake St. Clair in the western three-quarters of the Town. These include Pike Creek, Puce River, Belle River, Duck Creek, Moison Creek, Ruscom River and Little Creek. The Essex Region Conservation Authority manages these watersheds. Schedule "B.2" to this Plan illustrates the boundaries of each Conservation Authority's jurisdiction.

The following will be the policy of the Town:

- a) The Town will work cooperatively with the Essex Region and Lower Thames Valley Conservation Authorities in dealing with land management issues within the subwatersheds draining to Lake St. Clair, including those that extend beyond the Town boundaries into the Municipality of Chatham-Kent, the Municipality of Leamington, the Town of Kingsville, the Town of Essex and the Town of Tecumseh.
- b) The Town will encourage the preparation of watershed and subwatershed management plans and regional stormwater quality/quantity management facilities to assist in water resource and land use planning on an ecosystem basis. The Town will recognize that development and land use change will also require consideration of other matters such as economic and growth management factors that may not be addressed in a watershed or subwatershed plan. To the extent feasible, the Town will support the Conservation Authorities in the preparation and implementation of watershed and subwatershed plans.
- c) The Town will support appropriate flood control management programs of the Conservation Authorities.
- d) The Town will encourage the protection and restoration of Natural Heritage Features to improve water quality and quantity.

- e) Planning applications that propose to make use of a private water source will be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction. The hydrogeological study will be prepared to the satisfaction of the Town, the relevant Conservation Authority and the County, in consultation with the Province.
- f) The Town will require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The Town will promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes. Applications for development will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Ministry of the Environment's Stormwater Management Planning and Design Manual.
- g) A Permit To Take Water (PTTW), in accordance with the *Ontario Water Resources Act* will be required from the MOE where more than 50,000 litres a day of groundwater/surface water will be drawn. Applications for development requiring dewatering or using significant amounts of groundwater or surface water from rivers, streams, ponds or Lake St. Clair may be subject to a holding provision in the Zoning By-law in accordance with Section 8.3.2.1 of this Plan, subject to the Town receiving confirmation that a PTTW has been granted by the Ministry of the Environment, or that a PTTW is not required. For the purposes of this policy, "significant" means water requirements that exceed what would be usually expected to sustain normal farming practices such as those found within the Town. Approvals may also be required from other relevant agencies.
- h) In cooperation with the private sector and the community, the Town will encourage the reduction of water consumption levels through the promotion of the efficient use of water and may specify appropriate water conservation measures within existing and new development.
- i) The Town will work with various agencies to develop a septic system management program for the Town. Through a collaborative effort with other partners, the management program will consider opportunities including but not limited to: the Ontario Building Code, facility design and permitting, landowner education and awareness, as well as monitoring and inspections.

5.1.1 *Aquifer & Groundwater Protection*

The protection, conservation and careful management of groundwater resources is necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Aquifers need to be protected across the Town and Essex County to ensure a clean groundwater supply for private

water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and wetlands.

The following will be the policy of the Town:

- a) The Town will support initiatives of the Ministry of the Environment, County, the Conservation Authorities, the City of Windsor, the Municipality of Chatham-Kent and other agencies, including the implementation of the Essex Region/Chatham-Kent Regional Groundwater Study in identifying strategies to protect groundwater resources.
- b) The Town will will develop a Wellhead Protection Area (WHPA) public awareness program, including a system of signs positioned along the roads at the WHPA boundaries, informing the public that they are crossing into a groundwater protection area, and a public display which provides background information, publications, and phone contacts for display at various public events.
- c) The Town will implement a Wellhead Protection Area Sentinel Monitoring Program.
- d) Assurance that groundwater quality and quantity will not be negatively impacted will be required for approval of applications for development.
- e) The Town will require groundwater impact assessments for development proposals as appropriate according to the level of intrinsic susceptibility and potential groundwater contaminants, if any, based on Schedule B.1 and the protocol outlined in Appendix "A".

5.1.2 *Watercourses*

Watercourses transport both water and sediment from areas of high elevation to areas of low elevation. Changes to the amount or velocity of water being transported or the amount or size of bed load being moved can have significant impacts on watercourses, which may result in increased erosion and flooding. Watercourses provide habitat for fish and other species to live as well as provide water for human consumption, wildlife and livestock. Watercourses are directly related to many hazards including flooding, erosion, slope stability and natural features such as wetlands.

The following will be the policy of the Town:

- a) The Town, where possible, will require the preservation and enhancement of natural stream bank vegetation and promote suitable erosion control methods.
- b) The Town will ensure that the construction of tile outlets do not contribute to erosion along watercourses.

- c) The Town will promote tree planting along watercourses, where possible, to enhance the natural corridor function, provide for cool water temperatures and protect watercourse banks from erosion.
- d) The Town will ensure that best management practices and interim measures are utilized during construction projects adjacent to watercourses to reduce sedimentation and erosion.
- e) The Town, in consultation with the relevant Conservation Authority will establish an appropriate setback from the top of bank for all new development and expansions in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat.
- f) The Town will promote the use of watercourses and adjacent lands for pedestrian movement and passive recreation areas, where feasible.

These policies will be read in conjunction with the policies in Section 5.4 relating to Natural Hazards.

5.2 Natural Heritage Features & Functions

Natural Heritage Features and areas are those lands identified as Provincially Significant Wetlands, Significant Habitat of Endangered Species and Threatened Species, and Other Natural Heritage Features and Functions, which include: Significant Woodlands, Environmentally Significant Areas, Significant Valleylands, fish habitat, locally significant wetlands, significant natural areas and wildlife habitat, and Areas of Natural and Scientific Interest.

The Town will work to conserve, restore and enhance Natural Heritage Features and functions, wherever possible. The Plan divides Natural Heritage Features into four categories:

- a) Provincially Significant Wetlands are identified by the Ministry of Natural Resources (MNR) as provincially significant features. Provincially Significant Wetlands are within the Natural Conservation Designation, described in Section 6.13 of this Plan and described in Section 5.2.1;
- b) The Significant Habitat of Endangered Species and Threatened Species, are described in Section 5.2.2;
- c) Fish Habitat, as described in Section 5.2.3; and
- d) Other Natural Heritage Features and functions include areas that are identified as significant natural heritage features and maintain their underlying land use designation. Other Natural Heritage Features and functions are described in Section 5.2.4.
- e) Subject to Provincial and Federal statutes, the policies of this Plan will not prevent the continuation of existing agricultural uses within or adjacent to Natural Heritage Features. New agricultural uses or the expansion of agricultural uses into Natural Heritage Features will not be permitted.

Delineation of certain Natural Heritage Features is based on data provided by the MNR, the Essex Region Conservation Authority and the Lower Thames Valley Conservation Authority. These features will be protected for the long-term and given due consideration in the development, redevelopment and alteration of land within the identified areas. The delineation of these features may be determined and/or refined through the preparation of a detailed Environmental Impact Assessment (EIA), as described in Section 5.2.5.

5.2.1 *Provincially Significant Wetlands*

Provincially Significant Wetlands (PSWs) are designated Natural Conservation on Schedule "C". PSWs are identified and delineated by the MNR. Schedule "B.2" delineates the PSWs and the lands approximately 120 metres adjacent to the PSWs. The contiguous lands adjacent to PSWs represent an area where it is likely that development or site alteration would have a negative impact on the feature or area. The following will be the policy of the Town:

- a) Provincially Significant Wetlands identified on Schedule "B.2" and designated as Natural Conservation on Schedule "C" to this Plan will be subject to the policies of Sections 6.13, as appropriate, and the policies of this Section of the Plan.
- b) Development and site alteration will not be permitted within a Provincially Significant Wetland.
- c) Development and site alteration will not be permitted on land adjacent to a Provincially Significant Wetland, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and/or hydrologic functions that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent land will be defined as 120 metres. An Environmental Impact Assessment (EIA) in accordance with Section 5.2.5 will be required for all development proposals within 120 metres or abutting areas identified as being a Provincially Significant Wetland. Prior to considering development and/or site alteration, the Town, in consultation with the Ministry of Natural Resources and the appropriate Conservation Authority, will be satisfied that the EIA demonstrates that there will be no negative impacts on the PSW and the sustaining ecological and/or hydrologic functions.
- d) The boundaries of PSWs are defined based on an evaluation carried out in accordance with Ministry of Natural Resources (MNR) procedures, which may be amended from time to time. The boundaries of PSWs may be refined without an amendment to this Plan. The addition or removal of a PSW will require an amendment to this Plan.

5.2.1.1 Candidate Provincially Significant Wetlands

ERCA and the Town of Lakeshore have completed a Natural Heritage Feature Inventory which provides a detailed inventory and assessment of Natural Heritage Features in the northwest portion of the Town. The Study may assist the Town in their review of development applications as well as prioritizing the areas for securement and acquisition, where appropriate. The Study has identified sites which display vegetative and soil characteristics consistent with PSWs, but have not been evaluated under the Ontario Wetland Evaluation System (OWES). These sites have been identified as Candidate Provincially Significant Wetlands (CPSWs).

The Town supports the preparation of a Natural Heritage System Strategy, in accordance with the policies of Section 5.2.5, to reinforce the protection, restoration and enhancement of identified CPSWs and Natural Heritage Features, and promote the overall diversity and interconnectivity of Natural Heritage Features, functions and areas.

CPSWs and the lands approximately 120 metres adjacent to the CPSWs are identified on Schedule "B.2" and are located within the Wallace Woods Special Planning Area. The contiguous lands adjacent to CPSWs represent an area where it is likely that development or site alteration would have a negative impact on the feature or area. Development and site alteration will not be permitted within a CPSW or within lands 120 metres adjacent to a CPSW

until a wetland evaluation is completed by a qualified wetland evaluator to the satisfaction of the Ministry of Natural Resources. An Official Plan Amendment will be required to implement the findings of the wetland evaluation to reflect the appropriate classification and boundaries of the Natural Heritage Feature.

5.2.2 Significant Habitat of Endangered Species & Threatened Species

In accordance with common practices to protect the features from disturbance, the Significant Habitat of Endangered Species and Threatened Species are not illustrated on the schedules of this Plan. The following will be the policy of the Town:

- a) Significant Habitat of Endangered Species and Threatened Species are not illustrated on either Schedules "B" or "C", and will be defined based on data from Provincial and Federal authorities. The Ministry of Natural Resources approves the identification of Significant Habitat of Endangered Species or Threatened Species. The Town will refer to the Natural Heritage Information Centre database and, in consultation with the Province and the appropriate Conservation Authority, will determine where the policies of Section 5.2.2 will apply.
- b) Development and site alteration will not be permitted in the Significant Habitat of Endangered Species and Threatened Species.
- c) Development and site alteration will not be permitted on land adjacent to the Significant Habitat of Endangered Species and Threatened Species, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent land will be defined as 120 metres. An Environmental Impact Assessment (EIA) in accordance with Section 5.2.5 will be required for all development proposals within 120 metres or abutting areas identified as being the Significant Habitat of Endangered Species and Threatened Species. Prior to considering development and/or site alteration on within 120 metres or abutting areas, the Town, in consultation with the Ministry of Natural Resources, will be satisfied that the EIA demonstrates that there will be no negative impacts on the habitat values upon which the species depend directly and indirectly, and any related ecological functions

5.2.3 Fish Habitat

The Town recognizes that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem. Fish habitat protection and restoration opportunities throughout the Town are significant due to the number of subwatersheds which outlet into Lake St. Clair. Fish habitat restoration opportunities may be implemented through subwatershed studies, Secondary Plans, and on an individual lot basis. The harmful alteration, disruption or destruction of fish habitat is prohibited under the *Fisheries Act*.

When considering impacts to fish habitat areas, the following will be the policy of the Town:

- a) Development will only be permitted provided that it does not harmfully alter, disrupt or destroy fish habitat. Through a fish habitat mitigation/compensation assessment, in consultation with the Town, the relevant Conservation Authority and the Department of Fisheries and Oceans (DFO), it is the Town's objective to secure no net loss of productive capacity of fish habitat, and where possible, secure a net gain of productive capacity of fish habitat.
- b) Any development or change in land use near or adjacent to an existing or potential fish habitat area will be reviewed by the Town and relevant Conservation Authority in consultation with the DFO with respect to the potential impact. Any such proposal will be subject to an assessment to determine if it will result in a reduction of the fish habitat.
- c) The Town in consultation with the relevant Conservation Authority may determine the minimum vegetative buffer zone adjacent to existing or potential fish habitat areas where development is proposed.
- d) Where it has been determined by the relevant Conservation Authority in consultation with the DFO that the development or change in land use will affect the natural functions of the fish habitat, the preparation of a fish habitat mitigation/compensation assessment will be required. The assessment will typically be required to include the following information:
 - i) identify the nature and extent of potential impacts;
 - ii) determine appropriate mitigative measures to protect the affected fish habitat;
 - iii) specify compensation for loss of fish habitat through near-site replacement of habitat, off-site replacement of fish habitat or an on-site increase of fish habitat capacity;
 - iv) determine appropriate buffering and how such buffering will be protected in the future; and
 - v) address other matters as determined by the DFO.
- e) Any requirements imposed through a fish habitat mitigation/compensation assessment will be implemented by the proponent with input from, and to the satisfaction of the Town, the relevant Conservation Authority and/or the DFO.
- f) Where it is determined by the Town, the relevant Conservation Authority and/or the DFO, that any development will cause negative impacts to fish habitat, such development may not be permitted.
- g) Subwatershed studies may be prepared to provide additional policy guidance related to the protection and enhancement of fish habitat and the specification of protective or mitigative measures.

5.2.4 *Other Natural Heritage Features & Functions*

The Town and the Conservation Authorities encourage the protection and enhancement of Natural Heritage Features. Schedule "B.2" identifies some of the significant Natural Heritage Features, which are lands that represent the legacy of the natural landscape of the area and as a result have important environmental and social value. Other Natural Heritage Features include Significant Woodlands and other woodlands, significant wildlife habitat areas, Significant Valley Lands, Environmentally Significant Areas, Areas of Natural and Scientific Interest, locally significant wetlands, and watercourses.

Significant Woodlands are areas which are ecologically important in terms of species composition, age of trees and stand history. Significant Woodlands are functionally important due to their contribution to the broader landscape because of their location, size or extent of forest cover; and/or are economically important due to their site quality, species composition, or management history.

Wildlife habitat is one of the primary ecological functions provided by Natural Heritage Features. Significant wildlife habitat is an area where plants, animals and other organisms live, and find adequate amounts of food, shelter, water and space needed to sustain their populations. All plants and animals have individual habitat requirements, which vary for different periods in their life cycles. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their life cycle, and areas which are important to migratory or non-migratory species.

Significant Valley Lands are natural areas that occur in a valley or other landform depression that have water flowing through or standing for some period of the year. Valleys are the natural drainage systems for the watersheds and as such, they provide an appropriate context for planning and evaluating water related resources.

The following will be the policy of the Town:

- a) Natural Heritage Features identified on Schedule "B.2" and/or Table 5.1 to this Plan will be subject to the policies of the underlying land use designation, as shown on Schedule "C", and the policies of this Section of the Plan, provided that an EIA is undertaken and approved by the Town and relevant Conservation Authority.
- b) Development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s), whether illustrated on Schedule "B.2" or only described in Table 5.1, will be subject to the completion of an EIA, prior to development occurring, in accordance with Section 5.2.6 of this Plan. Development or site alteration in, or on land adjacent to, such features will not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated. The extent of adjacent land will be defined as indicated in Table 5.1.

Table 5.1 – Extent of Land Adjacent to a Natural Heritage Feature

Natural Heritage Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which development or site alteration may be permitted
Significant Woodlands and other Woodlands	Based on evaluation criteria established and conducted by either Essex Region Conservation Authority or Lower Thames Valley Conservation Authority, as illustrated on Schedule "B.2", and identified by ERCA in the Natural Heritage Feature Inventory prepared for the north-western portion of the Town.	Dripline plus 45 metres	EIA demonstrates there will be no negative impacts on the natural features of the woodlands and the ecological functions that sustain them.
Environmentally Significant Areas	As defined by the appropriate Conservation Authority.	50 metres	EIA demonstrates there will be no negative impacts on the natural feature and their sustaining ecological functions.
Significant Valley Lands	As defined by the appropriate Conservation Authority.	50 metres from the boundary of the mapped Significant Valleyland	EIA demonstrates there will be no negative impacts on the natural features of the valley land and the ecological functions that sustain them.
Fish habitat (not included on Schedule "B.2" to this Plan)	A setback of 30 metres from the highwater edge of an aquatic habitat or as defined through the EIA. The definition of fish habitat can be affected by an EIA.	30 metres from the highwater mark	EIA indicates there will be no harmful alteration, disruption or destruction of habitat upon which the fishery depends directly and indirectly; or where authorization has been obtained under the <i>Fisheries Act</i> , and that habitat will be fully replaced to provide full compensation for the effects of the development.
Locally significant wetlands (not included on Schedule "B.2" to this Plan)	Wetland evaluation carried out according to procedures established by Ministry of Natural Resources.	120 metres	EIA demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Significant natural areas and wildlife habitat (Not included on Schedule "B.2" to this Plan)	As defined by MNR, the appropriate Conservation Authority and/or by the Town in a Natural Heritage System Strategy.	50 metres	EIA demonstrates there will be no negative impacts on wildlife or their habitat.

Table 5.1 – Extent of Land Adjacent to a Natural Heritage Feature

Natural Heritage Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which development or site alteration may be permitted
Areas of Natural and Scientific Interest (ANSI) (Not included on Schedule "B.2" to this Plan)	As defined by MNR.	50 metres	EIA demonstrates there will be no negative impacts on the ANSI and the ecological or geological functions that sustain them.

- c) The Town will encourage the retention and enhancement of Natural Heritage Features or portions of Natural Heritage Features, through consent and lot line adjustments in the Agricultural Area, subject to the EIA policies.
- d) The Town will encourage that, wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. The Town will encourage the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new development. Financial compensation for tree loss is not considered the preferable means of appropriate mitigation for development.
- e) The Town will use the Guidelines for Environmental Impact Assessments in the County of Essex Official Plan and MNR's Natural Heritage Reference Manual as a guideline for the completion of an EIA, referenced in Section 5.2.6, to ensure that development proposals are consistent with Provincial policies and the Town's Natural Heritage Feature policies.
- f) The Town will encourage opportunities that may arise with development proposals for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions for protecting and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation.
- g) The Town will encourage the protection of species at risk, either aquatic or terrestrial, and species recovery strategies. The Municipality will support the implementation of the relevant findings of recovery strategies. This may include amendments to this Plan.
- h) Where components of the Natural Heritage Features are held in private ownership, nothing in this Plan will require that these lands be free and available for public use, and the identification of land will not oblige the Town or appropriate Conservation Authority, or other public agencies to purchase the land.
- i) The Town will, to the extent feasible, ensure that required maintenance of existing drains is carried out in a manner that mitigates impacts of the maintenance of existing drains on Natural Heritage Features and functions.

- j) When considering applications or initiating projects under the *Drainage Act* or *Ontario Water Resources Act* for drainage works, the Town, in consultation with the Province and/or the relevant Conservation Authority, must be satisfied that the works will be engineered and constructed to ensure no negative impact on Natural Heritage Features and functions. Such considerations may include completion of an EIA or an environmental evaluation/appraisal carried out under the *Drainage Act*.

5.2.5 Natural Heritage System Strategy

The Town, in cooperation with the Ministry of Natural Resources and the Conservation Authorities, may undertake a Natural Heritage System Strategy to identify, map and detail Natural Heritage Features, including the form and function of the identified features, and to identify linkages and connections between these features. The Essex Region Biodiversity Conservation Strategy provides guidance with respect to the restoration and enhancement of the natural heritage system. The system strategy will reinforce the protection, restoration and enhancement of identified Natural Heritage Features, and promotes the overall diversity and interconnectivity of Natural Heritage Features, functions and areas. An amendment to this Plan may be required to incorporate policies related to the Natural Heritage System Strategy.

The Town recognizes that a natural heritage system would benefit from public ownership to ensure protection of the features and to provide for public access, where appropriate. The Town will consider all options for the acquisition of land associated with Natural Heritage Features, functions and linkages in accordance with the land acquisition policies of Section 8.3.9 of this Plan.

Notwithstanding the options for the acquisition of lands as part of a natural heritage system strategy, the Town or any other public agency will not be obligated to acquire or purchase any land containing Natural Heritage Features.

The following will be the policy of the Town to implement the Natural Heritage System Strategy:

- a) The participation of woodlot owners in voluntary stewardship agreements, and where eligible, in conjunction with compensation programs such as "ecogifts" will be encouraged;
- b) The Natural Heritage Features under private ownership continue to be private and their identification as such features in no way increases their accessibility to the public or their eligibility for acquisition by the Town, Conservation Authority or any other conservation group or agency; and
- c) When considering development proposals, the Town may require the land owner to enter into a Site Plan agreement regarding the preservation and enhancement of the trees and vegetation on the property. Where forest cover is to be provided as a condition of a development approval, the use of a variety of indigenous species of vegetation will be encouraged.

5.2.6 *Environmental Impact Assessments*

The Town will apply the following policies to the preparation and review of an Environmental Impact Assessment (EIA). Under circumstances where an EIA is required, the study and specific scope of the EIA, will be prepared to the satisfaction of the Town, in consultation with the Essex Region Conservation Authority, Lower Thames Valley Conservation Authority and/or the Ministry of Natural Resources.

To assist with determining the alteration of a natural heritage feature(s) over time, the approval authority will use the April 2000 aerial photography as one of the tools to establish the baseline from which the alteration will be assessed. However, in areas other than those designated Natural Conservation on Schedule "C" of this Plan, site alteration in accordance with a permitted use will be permitted. The April 2000 aerial photographs will be considered to represent baseline conditions for the purposes of development proposals.

To assist the Town in determining the adequacy of the EIA, Council may require a peer review, paid for by the proponent, in addition to a review by the appropriate Conservation Authority and/or Ministry of Natural Resources.

The EIA will include:

- a) A proposal description including a description of the proposed use:
 - i) current land use, existing land use regulations, and ownership of the subject land and land adjacent to the proposed location;
 - ii) the timing of construction/development, including any phasing of the development;
 - iii) alternative forms the development may take;
 - iv) activities associated with the proposal, and its alternatives that may have environmental impacts (e.g., work on stream banks, tree-cutting, removal of vegetation, earth-moving, excavation and post-construction activities);
 - v) a list of relevant reports and supporting studies that have been completed for the site; and
 - vi) a general map showing main roads, proposed lot lines, building envelopes, laneways, septic systems, wells and waterline locations, the extent of the proposed vegetation removal, surrounding Natural Heritage Features or areas, and other features as requested through the EIA pre-consultation.

- b) A biophysical inventory of the resource, including:
 - i) if not specified during the EIA pre-consultation, an explanation and justification of the level of investigation undertaken whether data is gathered from existing sources, or a limited or detailed field inventory is undertaken; and
 - ii) if not specified during in the EIA pre-consultation a biophysical inventory, identifying:

- physical and hydrologic features including:
 - landform;
 - soil types and drainage characteristics;
 - overburden and bedrock geology;
 - areas of high water table;
 - areas of groundwater recharge and discharge;
 - location and usage of wells;
 - drainage patterns;
 - basin boundaries and watercourses;
 - existing erosion sites; and
 - areas of shallow soil.
 - native plants and animals;
 - significant wildlife habitat;
 - the delineation and mapping of natural vegetation on the subject land, and adjacent affected lands, using the Ministry of Natural Resources Ecological Land Classification for Southern Ontario;
 - the delineation and mapping of wetlands on the subject land, and affected adjacent lands, using the Ministry of Natural Resources Ontario Wetland Evaluation System for Southern Ontario;
 - the environmental significance of the physical, hydrological, and natural features on the subject land, and affected adjacent lands, based on criteria outlined in the current natural areas inventory for the County, and, the Ontario Ministry of Natural Resources “Significant Wildlife Habitat Technical Guide”;
 - if the subject land is within or adjacent to a significant woodland, or a potentially significant woodland, and if so the inventory will include:
 - the location of native plant and animal species;
 - physical and hydrologic features;
 - the location of potential linkages to connect woodlands within and adjacent to the proposed development site;
 - whether the woodland is currently being managed; and
 - the presence of trees 150 years or older.
 - the location and presence of Species at Risk (SAR) as identified federally or provincially; and
 - any other natural features such as hedgerows, windbreaks, isolated tree groupings, wildlife nesting or staging areas, linkages with other natural areas and wildlife corridors; and
 - the reasoning behind the choice of study areas within and adjacent to the proposed development site, and the seasons and times of year of the inventory.
- c) An assessment of the impacts of the proposal describing the significance of negative or positive effects on the Provincially Significant Features, Natural Heritage Features, functions or areas, on the subject land, and affected adjacent lands. Specifically, the assessment should identify and assess:

- i) on-site effects (e.g., elimination of habitat);
 - ii) off-site effects (e.g., sediment transported downstream);
 - iii) short-term, long-term and cumulative effects;
 - iv) effects on the use of Natural Heritage Features, functions, or areas by people (e.g., recreational or educational uses); and
 - v) an explanation of the method used to determine the effects.
- d) Identification and evaluation of impact avoidance, enhancement and mitigating measures proposed, including, but not limited to:
- i) the identification and assessment of all feasible mitigating measures;
 - ii) the identification of effects that can be reduced or eliminated by the application of appropriate mitigating measures;
 - iii) a detailed description of the proposed mitigating measures to eliminate or reduce the negative effects;
 - iv) the relative effectiveness of implementing these mitigating measures should be estimated, and the extent and significance of any remaining impacts discussed; and
 - v) opportunities for the enhancement of the Natural Heritage Feature, function, or area resulting from positive effects.
- e) Recommendations and conclusions based on the above evaluation of impact avoidance, enhancement and mitigating measures will outline the preferred alternative for impact avoidance, enhancement and mitigation including:
- i) modifications to the concept plan or site plan;
 - ii) construction requirements or constraints;
 - iii) integral components of detailed designs or site plans, such as surface water/stormwater management plan, erosion control plan, tree protection plan, rehabilitation/landscape management plan, or wildlife management plan;
 - iv) appropriate buffers/setbacks; and
 - v) other environmental protection measures.
- f) Summary consisting of a brief overview of the proposal, the effects on the environment and a statement of opinion from a qualified professional on whether or how the development could proceed without negatively impacting the values of the natural heritage feature, function or area.

5.2.6.1 Environmental Impact Assessment Policies

The following policies will apply to the preparation of Environmental Impact Assessments:

- a) The Town will require that an EIA be carried out and completed by qualified professionals in the field of ecology, terrestrial and/or aquatic biology, environmental planning and/or relevant earth sciences.

- b) The nature and scope of a particular development proposal will serve to define the type of EIA and review criteria to be addressed. In circumstances where there is a low likelihood of impact on the natural environment, and intervening development between the land subject to the planning or building permit application(s) and the feature triggering the EIA requirement, the Town, in consultation with the appropriate Conservation Authority, may waive the requirement for the EIA. The Town, in consultation with the relevant Conservation Authority and/or the Ministry of Natural Resources, will have consideration to Appendix Three of the County of Essex Official Plan and the MNR's Natural Heritage Reference Manual to establish the specific scope of any particular EIA.
- c) In the preparation and review of an EIA, the Essex Region Conservation Authority or Lower Thames Valley Conservation Authority will be consulted as to the nature and extent of the physical hazard and/or sensitive features. The Ministry of Natural Resources and the Ministry of the Environment will be consulted on an as-needed basis. The EIA will be prepared to the satisfaction of the aforementioned agencies.
- d) The Town, in consultation with the appropriate Conservation Authority will review and accept an EIA prior to scheduling a public meeting or committee meeting under the *Planning Act*, depending on the nature of the approval.
- e) If the Town is of the opinion, upon reviewing the EIA, that it has been demonstrated that the proposed use will not have a detrimental impact on the Natural Heritage Feature and/or physical hazard, the Town may approve the proposed use subject to conditions.
- f) If the detrimental impact of the proposed use on the Natural Heritage Feature and/or the physical hazard cannot be adequately mitigated, then the development will not be permitted.

5.3 Mineral, Petroleum & Mineral Aggregate Resources

Minerals, petroleum resources and mineral aggregates will be protected for long-term use. Existing and potential mineral, petroleum and mineral aggregate resource activities will be protected, and the extractive industry will be permitted to operate as free from land use conflict as possible, while ensuring minimal environmental impact and social disruption. It is also important that exhausted pits and quarries, and mineral and petroleum resource land be rehabilitated for appropriate uses that are compatible with the surrounding area.

5.3.1 Mineral & Petroleum Resources

Known salt and petroleum resource areas are illustrated on Schedule "B.3" to this Plan. There is a potential for the exploration, discovery and production of petroleum and salt deposits in the Town. The policies of this Plan address new development in proximity to known deposits and existing production areas.

The following will be the policy of the Town:

- a) Exploration and extraction of mineral and petroleum resources will be undertaken in accordance with Federal and Provincial legislation.
- b) Minerals and petroleum resources will be protected for future use. Subject to consultation with the Ministry of Natural Resources and the Ministry of Northern Development and Mines, minor modifications to the boundaries of the areas identified on Schedule "B.3" will not require an amendment to this Plan.
- c) Development and changes in land use which would prevent future access, use or extraction will not be permitted in and adjacent to identified salt and petroleum resource areas on Schedule "B.3", unless it can be demonstrated that:
 - i) resource use would not be feasible; or
 - ii) the proposed development and change in land use serves a greater long-term public interest; and
 - iii) issues of public health, public safety and environmental impact are addressed.
- d) Within all land use designations, new building construction will not be permitted within 75 metres of existing petroleum resource operations. Lesser setbacks for new building construction may be permitted in consultation with the Ministry of Natural Resources. This setback does not apply to petroleum operations decommissioned according to Provincial abandonment and rehabilitation requirements.
- e) As a condition of approving a development proposal, the Town will require that improperly abandoned wells that are known or discovered on the land during development will be properly plugged, capped or otherwise made safe in accordance with Provincial requirements. Areas where wells are located should be avoided when siting buildings, unless it can be demonstrated that development can safely occur.

- f) The Town will require that proponents of development within 75 metres of salt or petroleum resource areas will successfully complete a geotechnical study prepared by a qualified professional to confirm that the site is suitable for the proposed development.
- g) The Town will not permit new petroleum wells and associated works in a PSW and the Significant Habitat of Threatened Species and Endangered Species. Prior to the development of new pits and quarries, and new petroleum wells and associated works adjacent to any PSW or Significant Habitat of Threatened Species and Endangered Species, an EIA will be prepared in accordance with the policies of Section 5.2.5.
- h) Rehabilitation of mineral and petroleum resource land after operations have ceased is required in accordance with the provision of the *Mining Act* and the *Oil, Gas and Salt Resources Act*.

5.3.2 Mineral Aggregate Resources

Mineral aggregate resources will be protected for long-term use. As much of the mineral aggregate resources as is realistically possible will be made available as close to markets as possible. There are no significant mineral aggregate resources in the Town of Lakeshore. However, should any be discovered, the following policies are in place to guide their development.

The following will be the policy of the Town:

- a) Legally existing pits and quarries licenced under the *Aggregate Resources Act* will be zoned appropriately in the Zoning By-law. These operations will be permitted to continue and will be protected from new incompatible adjacent land uses and activities.
- b) Development proposals in close proximity to licenced aggregate extraction areas will be evaluated in terms of potential incompatibilities and addressed accordingly in consultation with the Province. Pertinent information regarding surface and groundwater, dust, vibration, noise, traffic routes in connection with the licenced aggregate extraction area, and buffering will be considered to ascertain the effect these existing factors will have on the proposed new development. Residential and institutional development within 300 metres of mineral aggregate resource areas and licenced pits will generally not be permitted. Proposed residential or institutional development within these areas will be supported by studies that demonstrate that any land use conflicts will be fully mitigated.
- c) The Town will not permit new pits and quarries and associated works in a PSW and the Significant Habitat of Threatened Species and Endangered Species. Prior to the development of new pits and quarries, and new petroleum wells and associated works

adjacent to any PSW or Significant Habitat of Threatened Species and Endangered Species, an EIA will be prepared in accordance with the policies of Section 5.2.5.

- d) The Town will generally not permit new pits and quarries in Natural Heritage Features, as identified on Schedule "B.2" to this Plan. Prior to the development of new pits and quarries within or adjacent to an Other Natural Heritage Feature, an EIA will be prepared in accordance with the policies of Section 5.2.5.
- e) New pits and quarries or the expansion of legally existing pits or quarries in mineral aggregate resource areas identified on Schedule "B.2" will be permitted without an amendment to this Plan. New pits and quarries or the expansion of legally existing pits or quarries will require an amendment to the Zoning By-law.
- f) Applications for Official Plan and/or Zoning By-law amendments, as referenced in Subsections l) and m) will be reviewed on the basis of the following:
 - i) the feasibility of aggregate extraction proposed;
 - ii) compatibility with the surrounding land uses;
 - iii) impact of the proposed haulage routes;
 - iv) potential impact on groundwater quality and quantity, Provincially Significant Features, Natural Heritage Features, and the broad natural environment;
 - v) rehabilitation plans;
 - vi) matters raised by the Province or the appropriate Conservation Authority; and
 - vii) whether approval will be granted under the *Aggregate Resources Act*.
- g) Where extraction is proposed below the water table, the following criteria will be satisfied:
 - i) a Permit To Take Water, in accordance with the *Ontario Water Resources Act* will be required from the MOE where more than 50,000 litres a day of groundwater/surface water will be drawn. A hydrogeological study will be conducted for aggregate operations that intend to use groundwater resources to wash their aggregate and will use greater than 50,000 litres per day during this washing process;
 - ii) a substantial quantity of mineral aggregate is located below the water table warranting extraction below the water table;
 - iii) other alternatives have been considered by the applicant and have been found unsuitable. Other alternatives include resources on land committed to future urban uses, and resources in the Agricultural Area where rehabilitation to agricultural uses is possible; and
 - iv) in those areas remaining above the water table following extraction, agricultural rehabilitation will be maximized.
- h) Rehabilitation of mineral aggregate extraction sites will be required in accordance with the requirements of the *Aggregate Resources Act*. Progressive rehabilitation will be encouraged. Progressive and final rehabilitation will be required to accommodate

subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation will take surrounding land use and the Land Use Designation of the lot and surrounding lots into consideration.

- i) A rehabilitation program will ensure that the pit or quarry can be used for agricultural purposes. Land in the Agricultural Area will be rehabilitated to ensure that substantially the same areas and average soil quality for agriculture are restored. In the Agricultural Area, complete agricultural rehabilitation is not required if:
 - i) extraction is permitted below the water table;
 - ii) other alternatives have been considered and found unsuitable; and
 - iii) agricultural rehabilitation in remaining areas is maximized.

Where agricultural rehabilitation is not required, other appropriate after uses, such as recreational uses may be considered in accordance with the policies of this Plan. Sites may also be rehabilitated to good wildlife habitat using native species for vegetation.

- j) The Town will actively pursue programs, in cooperation with the Province and owners to rehabilitate abandoned pits and quarries.

5.3.3 Wayside Pits & Quarries, Portable Asphalt Plants & Portable Concrete Plants

The following will be the policy of the Town:

- a) Wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be permitted without requiring an amendment to this Plan or the Zoning By-law, but will not be permitted adjacent to or within Natural Heritage Features or Settlement Areas. Utilization of aggregate from sites licenced under the *Aggregate Resources Act* and wayside pits and quarries will be encouraged.
- b) Wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be subject to Site Plan control in accordance with Section 8.3.4 of this Plan.
- c) Concession or temporary construction and marshalling yards used for public authority projects will be permitted without requiring an amendment to this Plan or Zoning By-law, but will not be permitted adjacent to or within Natural Heritage Features, Urban Areas, Employment Areas, Hamlet Areas, Waterfront Residential Areas, or Urban Fringe Areas.
- d) Concession or temporary construction and marshalling yards used for public authority projects will be subject to Site Plan control in accordance with Section 8.3.4 of this Plan.

- e) The Town will ensure that the necessary statutory and municipal approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

5.4 Hazards

5.4.1 *Natural Hazards*

It is the intent of the Town to protect life and property by respecting natural and human-made hazards, which may represent constraints to development. New development should only take place in areas that are not susceptible to hazards. Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption. Topographical variations of the floodplain directly affect the nature of a flood event. There are generally two types of topography: valley topography which includes slopes and banks; and flat topography which includes riverine and shoreline floodplains.

In valley topography, the floodplain is well defined and areas that are subject to flooding are generally less distinguishable from areas that are subject to minimal or no flooding. Floods within valley topography tend to be deeper and have higher velocity flows. Due to flood characteristics there is a major concern for loss of life and significant property damage.

In areas characterized by flat topography the floodplain can be extensive and severely hazardous areas may not be clearly definable (riverine and shoreline). In low lying inland areas the resulting floods tend to be shallow and of low velocity and consequently the major concern is property damage, impaired access, and reduced emergency services (e.g., police, fire, ambulance) and other areas along Lake St. Clair which are susceptible to wave uprush, ice conditions and erosion. Under these conditions in the inland floodplain areas, more opportunity for development is possible, provided that problems upstream or downstream are not created and the development is appropriately floodproofed and provides for appropriate access. In some cases, where development is proposed, the Town and relevant Conservation Authority may require the preparation of engineering reports in order to determine the extent of the regulatory floodplain.

Wetlands and their surrounding areas of interference are subject to regulation under the *Conservation Authorities Act* due to the potential hazards associated with flooding, organic soils and interference with water source/recharge areas. Filling or draining can have an impact on the hydrologic functions of a wetland, which in turn may influence the flooding and erosion processes in the area. The extent of wetland interference for Provincially Significant Wetlands and other wetlands larger than 2 ha in size is a distance of 120 metres, for wetlands that are less than 2 ha in size and are not Provincially Significant the extent of wetland interference is 30 metres. Mapping for wetlands and interference, included within the Regulation Limit, is maintained and available from the Conservation Authority having jurisdiction. Within regulated areas and their areas of interference, development or site alteration that is consistent with the underlying land use designation may only be permitted if prior approval is received from the Conservation Authority having jurisdiction.

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on lands identified as Hazard Lands and illustrated as the Limit of the Regulated

Area, Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas on Schedule "B.4".

- a) The extent of the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas will be considered approximate on Schedules "B.4". In all cases, it will be necessary to verify the boundaries on an individual basis in consultation with the appropriate Conservation Authority.
- b) Uses legally existing on the date of adoption of this Plan will be permitted.
- c) Development within the Limit of the Regulated Area, which would aggravate or contribute to the hazard will not be permitted.
- d) There are areas of extensive development located within the Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas. In these areas, a reasonable compromise will be made between the extent of the hazard and the continued use and future development of the area. This situation is particularly applicable to the Urban Areas, Employment Areas, Hamlet Areas and Waterfront Areas, as set out on Schedule "A". The Zoning By-law may establish specific zones to address existing development located within the Hazard Land areas.
- e) There is no public obligation either to change the delineation of or to purchase any area within the Hazard Lands.
- f) All lands within the Limit of the Regulated Area are regulated by the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*.
- g) Schedule "B.4" illustrates the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas based on mapping provided by the Essex Region Conservation Authority and the Lower Thames Valley Conservation Authority. The relevant Conservation Authority should be contacted when proposing development within or near these lands to determine the delineation of the Regulated Area. The Limit of the Regulated Area comprises three principal hazards (riverine hazards, shoreline hazards and other hazards (i.e., ice jams)). The following policies will apply in this regard.

5.4.1.1 Limit of the Regulated Area (LORA)

Subject to the other policies of this Plan, the following policies will apply to land within the Limit of the Regulated Area (LORA) as shown on Schedule "B.4".

- a) The extent of the Limit of the Regulated Area is considered approximate and prior to any development occurring, it will be necessary to verify the boundaries of the Limit of the Regulated Area on an site specific basis with the appropriate Conservation Authority.

- b) Prior to permitting development within the LORA, the Town will be satisfied that the appropriate arrangements have been made with the appropriate Conservation Authority.
- c) This section of the Plan must be read in conjunction with the Inland Floodplain Development Control Area policies and the Lake St. Clair Floodprone Area policies.

5.4.1.2 Inland Floodplain Development Control Area

Lands within an Inland Floodplain Development Control Area (FDCA) on Schedule "B.4" of this Plan are areas that have been identified as being susceptible to flooding under regulatory flood conditions as implemented by the appropriate Conservation Authority. This area is subject to the Development Interference with Wetlands and Alteration to Shorelines and Watercourses regulations of the appropriate Conservation Authority, and as such, a permit allowing for development activities including construction, placement of fill and alterations to shorelines and watercourses is required from the relevant Conservation Authority prior to undertaking such activities.

Detailed flood line mapping has been prepared for all of the subwatersheds and tributaries within the Essex Region Conservation Authority jurisdiction for the Town. Due to limited development pressure, these lands have not been mapped for the Lower Thames Valley Conservation Authority jurisdiction within the Town. The approximate boundaries of the floodplain, which contain those lands below the Regulatory Flood Standard, are shown on Schedule "B.4". Where a landowner is proposing development in close proximity to a watercourse where a flood line study has not been completed, the landowner may be required to undertake a detailed flood line study consistent with the requirements established in the Floodplain Planning Policy Technical Manual.

The Town will utilize a two-zone concept to floodplain management. Under the two-zone approach to floodplain management, the Town will to the satisfaction of the appropriate Conservation Authority, identify the floodway (the area that is subject to deeper, faster flows, which acts as the channel in times of flooding). Development is prohibited in the floodway with the exception of buildings and/or structures required for flood and erosion control. It has been determined that a setback of 8 metres plus the depth of the watercourse or municipal drain, to a maximum of 15 metres, will constitute the Floodway Zone, for the majority of watercourses.

The following will be the policy of the Town:

- a) The extent of the FDCA will be considered approximate on Schedules "B.4". In all cases, it will be necessary to verify the boundaries on an individual basis with the appropriate Conservation Authority.
- b) The regulatory flood standard for floodplains will be the one in one hundred year (1:100) or maximum observed flood condition for the Essex Region watersheds and the one in two hundred and fifty year (1:250) or maximum observed flood condition for the Lower Thames Valley watersheds.

- c) Uses legally existing on the date of the adoption of this Plan will be permitted.
- d) Development in the FDCA areas, other than within the floodway, may be permitted provided that the existing or potential hazards can be overcome by accepted engineering techniques and resource management practices which meet the approval of the Town, the relevant Conservation Authority and the other appropriate agencies as necessary. In considering each application, the Town will consider:
 - i) the existing physical hazards;
 - ii) the potential impacts of these hazards;
 - iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques, such as those set out in Provincial technical manuals; and
 - iv) the costs and benefits in economic, social and ecological terms of any engineering works or resource management practices needed to overcome these impacts.
- e) There are areas of extensive development located within the FDCA. In these areas, a reasonable compromise will be made between the extent of the hazard and the continued use and future development of the area. This situation is particularly applicable to the Urban Areas, Hamlet Areas and Waterfront Residential Areas, as set out on Schedule "A". The Zoning By-Law may establish specific zones to address existing development located within the FDCA areas. There is no public obligation to purchase any area within the FDCA.
- f) Any new development permitted within the FDCA must meet minimum flood protection standards to the satisfaction of the Town and the appropriate Conservation Authority.
- g) As part of the approval process for new developments, the Town along with the appropriate Conservation Authority, will ensure that appropriate vehicular access routes are planned and available during flood events.
- h) The following uses will be prohibited within the FDCA:
 - i) uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;
 - ii) institutional uses such as hospitals, nursing homes and schools; and
 - i) uses associated with services such as fire, ambulance, police or electrical substations.

5.4.1.3 Lake St. Clair Shoreline Floodprone Area

Lands within the Lake St. Clair Shoreline Floodprone Area on Schedules "B.4" of this Plan are areas that have been identified as being susceptible to flooding. The flooding and erosion hazard limits for the Great Lakes, including Lake St. Clair, have been established in order to regulate development in areas susceptible to periodic flooding and/or erosion hazards. As such, the relevant Conservation Authority should be contacted when planning for new

development and/or site alteration to determine permit requirements. The land uses permitted within the Lake St. Clair Shoreline Floodprone Area are determined by the underlying land use designations identified on Schedule 'C' and are based on the one in one-hundred year (1:100) flood standard plus an allowance for wave uprush and/or other water related hazards for the Essex Region and the one in two hundred and fifty year (1:250) or maximum observed flood condition for the Lower Thames Valley watershed, in recognition of ice jams in proximity Lighthouse Cove.

The implementing Zoning By-law will prescribe certain setback and minimum floodproofing elevation requirements for development within the floodprone area and setbacks from the top of bank for erosion prone area. Generally, the setbacks and minimum elevation requirements will vary depending on whether or not approved shore protection works are installed in addition to addressing other issues relative to the hazard, such as conditions on adjacent properties. The required setbacks and minimum elevations will be determined in consultation with the appropriate Conservation Authority.

These areas are subject to the appropriate Conservation Authority's regulations, and a permit allowing for such activities as: building and/or construction, grading of fill and/or breakwall and other shoreline construction works will be required.

The following will be the policy of the Town:

- a) In order to protect a building from lake-related flooding, it will be required to be floodproofed to the Regulatory Flood Standard. In order to protect a building from wave uprush and other water related hazards, an appropriate setback from the defined shoreline of Lake St. Clair may also be required. This setback will vary depending on the condition of the shoreline, the type of protection being provided and the condition of the shoreline on adjacent lands.
- b) Climate change may have significant impacts on lake and river levels as well as storm intensity and duration. The shoreline of Lake St. Clair is subject to naturally fluctuating lake levels, regular wave action and storms. Development will generally be directed to areas outside of the furthest landward limit of the dynamic beach hazard limit, the flood hazard limit and the erosion hazard limit.
- c) Development and site alteration will not be permitted within:
 - i) the dynamic beach hazard; and
 - ii) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, dynamic beach hazards and/or other water related hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development, and the natural hazard.
- d) Development and site alteration may be permitted in the Lake St. Clair Floodprone Areas other than those identified in Section 5.4.1.3 (c), in consultation with the appropriate Conservation Authority, and where the risk to public safety and other

effects can be absorbed, managed or mitigated in accordance with the following standards:

- i) the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - ii) existing hazards are not aggravated or new hazards are not created;
 - iii) no adverse environmental impacts will result, and no negative impact on Natural Heritage Features will result;
 - iv) vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies; and
 - v) development is carried out in accordance with established standards and procedures.
- e) In cases of severe water or erosion damage to Town roads or other Town properties, studies will be undertaken to compare the costs of erosion abatement with structure relocation, road closing or relocation, or the acquisition of new properties. Alternatives will be considered prior to any erosion abatement scheme or other course of action being undertaken.
- f) Where there is existing non-conforming development, repairs and minor additions to buildings and accessory uses such as boat houses may be permitted, subject to any other regulations that may apply.
- g) The replacement of an existing building or structure may be permitted provided the hazard has been adequately addressed through the use of accepted engineering and resource management practices. Acceptable replacement will not result in an increase in the original usable floor area of the building or structure, or alter the original use or affect shoreline processes.
- h) There may be areas where the hazard needs to be addressed on a comprehensive basis, rather than on an individual lot basis. Replacement of an existing building or structure may need to be evaluated in the context of a comprehensive review of the particular hazard. The Town will consult with the appropriate Conservation Authority in this regard.
- i) Nothing in the above policies will be interpreted to prohibit the relocation of an existing building or structure presently located within the erosion hazard limit either to a location farther away from the top of bank on the same lot or to another lot farther away from the top of bank, even if still within the erosion hazard limit. If a structure is relocated to another lot, no replacement structure may be constructed on the lot from which the original structure was moved, unless it is located on an area outside of the furthest landward of the dynamic beach hazard limit, the flood hazard limit and the erosion hazard limit.
- j) There are areas of extensive development located within the Lake St. Clair Shoreline Floodprone Area. In these areas, a reasonable compromise will be made between the

extent of the hazard and the continued use and future development of the area. This situation is particularly applicable to the Urban Areas, Hamlet Areas and Waterfront Residential Areas, as set out on Schedule "A". The Zoning By-Law may establish specific zones to address existing development located within the Lake St. Clair Shoreline Floodprone Area. There is no public obligation to purchase any area within the Lake St. Clair Shoreline Floodprone Area.

- k) Any new development permitted within the Lake St. Clair Shoreline Floodprone Area must meet minimum flood protection standards to the satisfaction of the Town and the relevant Conservation Authority.
- l) As part of the approval process for new developments, the Town along with the appropriate Conservation Authority, will ensure that appropriate vehicular access routes are planned and available during flood events.
- m) The following uses will be prohibited within the Lake St. Clair Shoreline Floodprone Area:
 - i) uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;
 - ii) institutional uses such as hospitals, nursing homes and schools; and
 - ii) uses associated with services such as fire, ambulance, police or electrical substations.

5.4.1.4 Other Hazards (Unstable Soils & Steep Slopes)

There is land subject to hazards due to steep slopes, unstable soils and/or erosion in locations other than flood plains or the shoreline area. Development of such areas may be considered provided that the existing or potential hazards can be overcome by accepted engineering and resource management practices and techniques, including setbacks from the stable top of bank. The stable top of bank will be determined by a qualified professional, in consultation with the Town and the relevant Conservation Authority. The required setback will reflect the degree, severity and extent of the hazard. The erosion hazard (slope setback) will be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance. The Town, in consultation with the relevant Conservation Authority, may require a geotechnical study or engineering analysis in order to determine the feasibility of proposed development in the above mentioned areas. A minimum setback may be included in the implementing Zoning By-law.

The following will be considered in the review of development proposals within hazard areas associated with unstable slopes, and the Town will consult the appropriate Conservation Authority in this regard:

- a) the existing physical hazards;
- b) the potential impacts of these hazards;

- c) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
- d) the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
- e) protection of Natural Heritage Features.

5.4.2 *Human-Made Hazards*

5.4.2.1 *Potentially Contaminated Sites*

The historic use of land in the Town has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and reintegration into the community, if they are properly remediated to suit a new use of the site.

The following will be the policy of the Town:

- a) The Town encourages the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate redevelopment, in accordance with Provincial regulations and procedures and the policies of this Plan.
- b) For land with an historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, Environmental Site Assessments (ESAs) will be prepared in accordance with the Environmental Procedures for Potentially Contaminated Sites policies of Section 5.4.2.1.1 of this Plan, as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements.
- c) The Town will encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.

5.4.2.1.1 *Environmental Procedures for Potentially Contaminated Sites*

The development or redevelopment of potentially contaminated sites will be assessed and remediated in a manner consistent with the *Environmental Protection Act* and relevant regulations, and the relevant MOE guidelines and procedures.

Provincial regulations, as amended from time to time, establish the required criteria for site remediation and/or standards for Risk Assessments. Provincial regulations also specify the circumstances under which Records of Site Condition (RSC) are required for certain changes of land use.

Proponents of application(s) for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval will be required to document the previous uses of the subject property and/or any properties that may have been impacted by or have impacted the subject property, to assist in the determination of the potential for site contamination. At the Town's discretion, applications for minor variance and consent may also be required to document previous uses to assist in the determination of the potential for site contamination.

To demonstrate that the site is suitable for the proposed use, the Town will require a RSC, or a Phase I Environmental Site Assessment (ESA) for the land subject to the application(s), if in the Town's opinion (or as required by Provincial regulation) the previous uses on the subject land or in the vicinity of the subject land presents the potential for site contamination and where there is a land use change proposed to a more sensitive use. Similarly, where permitted under Provincial regulation, the RSC/ESA requirement may be waived if in the Town's opinion, the RSC/ESA is not necessary due to the previous uses on the subject land and in its vicinity do not represent a change as specified in the legislation, and that the proposed use will not result in adverse effects.

Proponents will submit all information related to the RSC/ESA to the Town for a peer review prior to the scheduling of a public meeting under the *Planning Act*. The development proponent will pay for the cost of the peer review. In the case of an application for site plan approval, the RSC or ESA will be submitted with the application.

The following process will be followed:

- a) The proponent will submit the RSC or the Phase 1 ESA report by a Qualified Person (as defined by the *Environmental Protection Act* and as prescribed by the Regulations), to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the *Planning Act*. If the RSC demonstrates that there is no actual contamination, or if the Phase 1 ESA demonstrates that there is no potential for contamination, then no further action is required.
- b) If the site has already been remediated, the proponent will provide the Town with a RSC to provide verification to the satisfaction of the Town from a Qualified Person, that the property or properties in question do not require any further remediation in accordance with Provincial legislation and regulations, or the property or properties in question have been remediated and made suitable for the proposed use in accordance with Provincial legislation and regulations.
- c) If the site has not yet been remediated for the proposed development, the proponent will submit a RSC or a Phase I ESA report by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the *Planning Act*.
- d) If the Phase I ESA report identifies actual or potential contamination, the proponent will submit a Phase II ESA report, prepared by a Qualified Person, to the Town for review

and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the *Planning Act*. If the Phase II ESA report confirms actual contamination the proponent will also submit a Soil and Groundwater Remedial Plan and/or Risk Assessment prepared by a Qualified Person, to the Town for review and concurrence by a Qualified Person prior to the scheduling of a Public Meeting under the *Planning Act*.

- e) If an approval for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval is granted by the Town, the Town may impose/establish conditions of approval for planning applications, including but not limited to the following:
 - i) Conditions of draft plan approval;
 - ii) Conditions of site plan approval; or
 - iii) Holding provisions of the Zoning By-law,

to ensure that satisfactory verification of suitable environmental site condition is received prior to the issuance of any Building Permits for the site.

- f) The Town will not consider an RSC as acknowledged by the MOE until the applicant provides evidence that either the MOE has confirmed that the RSC is acknowledged or if the MOE has confirmed the RSC is acknowledged subject to an audit that it has passed the audit.

5.4.2.2 Air Quality

Air quality may be improved by reducing emissions of noxious gases, particulates, and dust. There are many emission sources but primary contributors include industrial operations and motor vehicles.

The following will be the policy of the Town:

- a) The Town encourages Provincial and Federal initiatives to develop and enforce improved emission standards for motor vehicles and industrial operations.
- b) The Town supports government programs and encourages industries to substantially reduce the production of chemical products known to have negative impacts on air quality.
- c) The presence of trees in Urban Areas improves air quality and reduces energy use through shading and protection as well as having aesthetic value. The Town will prepare and adopt an urban forestry program for the maintenance and planting of trees.
- d) The Town will undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on Town property to improve air quality.

- e) The Town is committed to a program of replacing trees that must be removed from Town road allowances. The Ministry of Transportation is encouraged to enact a similar program along Provincial Highways.
- f) The Town will strive to create a transit-supportive, compact and walkable urban form consisting of mixed uses and efficient transportation networks, encouraging cycling and walking.

5.4.2.3 Noise, Vibration, Odour & Other Contaminants

Noise, vibration, odour and other contaminants resulting from industrial activity can impact adjacent land uses, and the residents, businesses and visitors of the Town. Managing noise, vibration and odour levels in the Town is important to ensuring the health and well-being of the Town, and in managing appropriate relationships between sensitive land uses, land uses that emit noise, vibration and/or odour, and certain elements of the transportation network.

The following will be the policy of the Town:

- a) New residential or other sensitive uses will not be located in noise sensitive areas unless noise abatement techniques are employed to reduce the noise to comply with the Ministry of the Environment sound level criteria/guidelines.
- b) New residential or other sensitive uses will not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants from vehicular traffic or from the nature of the use will exceed Ministry of the Environment sound level criteria and/or guidelines.
- c) Only those new commercial or employment uses that can meet the Ministry of the Environment's sound level criteria will be permitted.
- d) The development of new industrial/business park uses will have regard for the MOE guidelines respecting separation distances between industrial uses and sensitive uses. In locating any sensitive land use in the vicinity of any established or approved employment use, the Town will have regard for the relevant MOE guidelines.
- e) For any proposed development of a sensitive land use in proximity to a railway right-of-way, Provincial Highway, County Road and/or Town Road, a noise and vibration study may be required to be prepared by a proponent through a qualified acoustical consultant in accordance with the appropriate Provincial guideline to the satisfaction of the Town, and/or other jurisdiction prior to development approval. The recommendations of the approved noise and vibration report will be incorporated in the development agreement for implementation, as approved. The cost of noise and vibration studies and any other required supporting documentation will be borne by the proponent. Costs incurred by the Town in engaging peer review consultants to evaluate the proposal and supporting submissions will be reimbursed by the proponent.

- f) The Town will support initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. The Town will support agencies and firms in the development of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials will be encouraged.
- g) Development proposals for uses that involve the storage or processing of hazardous materials must demonstrate, to the satisfaction of the Town, that they will comply with all relevant Provincial and/or Federal regulations.

5.4.2.4 Waste Disposal Sites

The location of new waste disposal sites and the expansion of existing waste disposal sites will require an amendment to this Plan. Development within proximity to waste disposal sites will be carefully regulated to minimize land use conflicts and the potential for any adverse impacts.

The following will be the policy of the Town:

- a) Active and closed Waste Disposal Sites are identified on Schedule "B.3" to this Plan. Notwithstanding the general nature of the identification of Waste Disposal Sites in this Plan, new or expanding Waste Disposal Sites will proceed by way of a site-specific Official Plan Amendment, in accordance with Section 8.2.1 of this Plan, and subject to the relevant policies of this Plan. Prior to approval of the Official Plan Amendment, new Waste Disposal Sites or expansions, will obtain a Certificate of Approval from the Ministry of the Environment.
- b) Development proposals within 500 metres of the perimeter of the fill areas of either an active or closed Waste Disposal Site will be accompanied by a study prepared by the proponent that satisfies the Town and the requirements of the MOE guidelines related to land uses on or near landfills and dumps. The study will address any mitigation measures required.
- c) Redevelopment of closed Waste Disposal Sites may be permitted by way of Official Plan and Zoning By-law amendments, upon the Town consulting with the Ministry of the Environment and/or other appropriate jurisdictions, and subject to the following policies:
 - i) written confirmation, and written approval if Section 46 of the *Environmental Protection Act* is applicable, has been received from the Ministry of the Environment or the Minister of the Environment (as applicable) and/or other appropriate jurisdiction, that the development satisfies the provisions of the *Environmental Protection Act*;
 - ii) the studies required by the Town, and the Town and the Ministry of the Environment should Section 46 of the *Environmental Protection Act* apply, will be carried out to the satisfaction of the Town, and the Town and the Ministry of the Environment respectively should Section 46 of the *Environmental*

- Protection Act* apply, will demonstrate that development is compatible and can proceed without negative impact;
- iii) the Town will require the construction and phasing of all development to coincide with the implementation of any recommended mitigative measures and/or monitoring identified and recommended by the engineering studies;
 - iv) the required studies of Waste Disposal Site generated gases, leachate and hydrogeology will be completed to the satisfaction of the Town, and to the satisfaction of the Town and the Ministry of the Environment if Section 46 of the *Environmental Protection Act* is applicable; and
 - v) the Town will be satisfied with respect to any matter regarding structural stability, safety and integrity of any and all structures.
- d) Wherever possible, methane or other greenhouse gas emissions from waste disposal operations will be captured and used as an alternative energy source.
- e) The Town will support the management of waste in accordance with the policies of Section 7.4 of this Plan.

Appendix "A"

Protocol for Groundwater Impact Assessments:

The following section outlines the four groundwater impact assessment categories relevant to the Water Resource Protection Policies of this Official Plan. The application and general requirements for each category are outlined below.

It should be noted that, for many types of development proposals, the impact assessment requirements defined below will have been addressed through completion of the relevant provincial regulatory requirements. In these cases, the groundwater impact assessment required by the Town can be completed through referencing the results of the work done pursuant to provincial requirements.

The method for determining what category of groundwater impact assessment applies to a given development proposal is summarized in Table 1. As indicated, the level of groundwater impact assessment required is dependent upon both the level of intrinsic susceptibility of the proposed property to be developed, as well as the type of potential groundwater contaminants associated with the activities to be carried out at the new development.

Category 1: No Study Required: If the proposed surface development will not utilize, possess, or generate any of the potential groundwater contaminants found on the attached list, no study should be required.

Category 2: Preliminary Groundwater Assessment: The assessment required for the Category 2 Assessment, which focuses on low to medium risk contaminants in low to medium susceptibility areas will utilize existing site-specific information to verify the location, thickness, and lateral extent of aquifers and aquitards within a 1.0 km circumference from the subject site. Existing water wells, both public and private, need to be identified, and the groundwater depth and flow direction for any identified aquifers need to be categorized. This information is available through the Town's GIS database, but should be completed by a professional geologist. Should this site-specific assessment demonstrate a vulnerability of the groundwater system, general mitigation activities designed to prevent unforeseen contamination events should be outlined as a function of the municipal building permit.

Category 3: Intermediate Groundwater Assessment: The assessment required for the Category 3 Assessment, which focuses on high, medium, and low risk contaminants in low, medium, to high susceptibility areas, will utilize existing site-specific information to verify the location, thickness, and lateral extent of aquifers and aquitards within a 2.0 km radius from the subject site. Existing water wells, both public and private, need to be identified and the groundwater depth and flow direction for any identified aquifers need to be categorized. This information is available through the Town's GIS data base, but should be completed by a professional geologist. Should this site-specific assessment demonstrate a vulnerability of the groundwater system, mitigation activities

designed to prevent unforeseen contamination events should be outlined as a function of the municipal building permit.

Category 4: Enhanced Groundwater Assessment: The assessment required for the Category 4 Assessment, which focuses on high and medium contaminants in medium to high susceptibility areas and all Wellhead Protection Areas will utilize existing site-specific information to verify the location, thickness, and lateral extent of aquifers and aquitards within a 3.0 km. radius from the subject site. Additionally, the drilling of an on-site observation well will be required to demonstrate the local site-specific parameters. The observation well will be made available to the Town for periodic water sampling and testing. Within the 3.0 km. radius, all water wells need to be identified and within a km. circumference, all abandoned wells need to be properly decommissioned. The groundwater depth and flow direction for any identified aquifers need to be categorized. This information is available through the Town’s GIS database, but should be completed by a professional geologist. Should this site-specific assessment demonstrate a vulnerability of the groundwater system, mitigation activities designed to prevent unforeseen contamination events should be outlined as a function of the municipal building permit.

The following table identifies the division of the four groundwater assessment categories:

Table 1: Summary of Method to Determine the Applicable Groundwater Impact Assessment Category

Type of Activity	Lands with a Low ISI	Lands with a Medium ISI	Lands with a High ISI
Activities involving no potential groundwater contaminants	Category 1 applies	Category 1 applies	Category 1 applies
Activities involving low risk groundwater contaminants	Category 2 applies	Category 2 applies	Category 3 applies
Activities involving medium risk groundwater contaminants	Category 2 applies	Category 3 applies	Category 4 applies
Activities involving high risk groundwater contaminants	Category 3 applies	Category 4 applies	Category 3 applies

Table 2: Examples of Potential Groundwater Contaminants

<p>Activities Involving Low Risk Contaminants:</p> <ul style="list-style-type: none"> • Activities Using De-icing Salt Storage Facilities • Activities Using Deep Injection Wells • Activities Using Storm Water Detention Facilities • On-site Septic - Apartments • Pesticide Application • Fertilizer Application <p>Activities Involving Medium Risk Contaminants:</p> <ul style="list-style-type: none"> • Animal Feedlots • Animal Manure Application • Sludge Disposal Site • Oil and Gas Production Wells • Petroleum Storage/Pipelines • Mining Activities • Parking Lot Runoff Detention Facilities • On-site Septic – Schools • On-site Septic - Small Business • Sewage Wastewater Irrigation • Waste Transfer Stations • Above-ground Storage Tanks • Activities Using Regulated Hazardous Materials <p>Activities Involving High Risk Contaminants:</p> <ul style="list-style-type: none"> • Solid Waste Disposal Facilities • Activities Using Radioactive Materials • Activities Using Hazardous Waste Storage • Petroleum Refining • Activities Using Industrial/Agriculture Injection Wells • Activities Using Below Ground Storage Tanks • Activities Using Biologic/Toxic Waste
--

6.0 LAND USE

6.1 Introduction

This Plan contains 14 land use designations, as set out on Schedule “C”, that designate all land within the Town of Lakeshore. This Section outlines all the permitted uses and land use policies pertaining to these designations. There are also general policies (found throughout the Plan) that may also apply when interpreting permitted uses and development entitlements on specific parcels of land and within the designation.

The land use designations include:

- Agricultural Designation;
- Hamlet Designation;
- Waterfront Residential Designation;
- Urban Fringe Designation;
- Residential Designation;
- Service Commercial Designation;
- Recreational Commercial Designation;
- Mixed Use Designation;
- Central Area Designation;
- Employment Designation;
- Major Institutional Designation;
- Natural Conservation Designation;
- Parks and Open Space Designation; and
- Urban Reserve Designation.

6.2 Agricultural Designation

The majority of land within the Town is designated Agricultural Designation and consists entirely of prime agricultural lands which includes Canada Land Inventory Classes 2 and 3, and associated agricultural and rural uses. The Provincial Policy Statement requires that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses.

Traditional as well as value added agriculture and associated activities make an important contribution to the economy of The Town. The Agricultural Designation is intended to preserve and strengthen the continued viability of the agricultural community. The policies protect agriculture from the intrusion of incompatible uses, such as non-farm related residential dwellings and other uses that are sensitive to contemporary agricultural practices.

6.2.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Agricultural Designation on Schedule "C":

- a) The primary use of land will be for agricultural uses, agriculturally-related uses and secondary agricultural uses including: the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment; conservation uses; resource extraction, resource-based, and compatible uses.
- b) A single residential dwelling will be permitted per lot. A secondary farm residence may be permitted when the size and nature of the operation requires additional employment, and provided the secondary farm residence is on the same lot, is accessory to the main farm operation, is used for full time farm help, and servicing is adequate. A consent for land division for such a dwelling will not be permitted. The accommodation of seasonal or temporary farm help may include the use of bunkhouses or mobile homes.
- c) Permitted uses that are secondary to the principal use of the property, including but not limited to: small-scale home occupations, subject to 6.2.1 g), small-scale home industries, subject to 6.2.1 h), and those uses which add value to farm produce which may include such uses as the processing, preserving, storing and packaging of the farm's produce on the farm property.
- d) Agriculture related commercial and industrial uses directly related to, and supportive of an agricultural operation are permitted, provided the following policies are considered:

- i) the agriculture related commercial or industrial operation is of a small scale and cannot reasonably be located in a non-agricultural designation and is required in close proximity to the farm operation;
 - ii) such uses will be located to conform with the Minimum Distance Separation Formula;
 - iii) an amendment to the Zoning By-law is approved;
 - iv) the agriculture related commercial or industrial use will not require large volumes of water nor generate large volumes of effluent and will be serviced with appropriate water supply and sewage treatment facilities;
 - v) the agriculture related commercial and industrial uses will be located and designed to minimize potential adverse impacts including noise, visual, odours, and air emissions, upon nearby residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout; and
 - vi) the location of agriculture related commercial and industrial uses must provide for appropriate access and minimum sight distances in either direction along a municipal road.
- e) Greenhouse farms will be permitted in the Agricultural Designation, provided the following policies are considered:
- i) specific development standards are provided in the Zoning By-law;
 - ii) the greenhouse farm is subject to Site Plan Control in accordance with Section 8.3.4; and
 - iii) the recycling of irrigated water by greenhouse farms will be required in order to reduce primary water use.
- f) The development of wind energy conversion systems for electricity production to be sold to the electrical grid will be permitted, subject to a site-specific Zoning By-law amendment and the policies of Section 4.2.4.
- g) Small-scale home occupations will be permitted, provided the use remains clearly secondary to the farm operation and is conducted by a member of the family owning the property, and may include:
- i) sales outlets for agricultural products produced on the farm;
 - ii) small home occupations conducted from the main residence and normally limited to the occupants of the property;
 - iii) bed and breakfast establishments; and
 - iv) farm vacation enterprises.
- h) Small-scale home industries, which are conducted in whole or in part in an accessory building (e.g., shed or farm building) by a member of the family owning the property, will be permitted. In order to ensure that the scale of the home industry is clearly accessory to the main use, the number of employees, the gross floor area and outside storage associated with a home industry will be limited in the Zoning By-law.

- i) Mushroom operations including the growing, harvesting, cleaning, packaging and shipping of mushrooms and any other uses related to mushroom production are also permitted in the Agricultural Designation, provided the following policies are considered:
 - i) specific development standards are provided in the Zoning By-law;
 - ii) the mushroom operation is subject to Site Plan Control in accordance with Section 8.3.4; and
 - iii) the recycling of irrigated water by the mushroom operation will be required in order to reduce primary water use.
- j) New livestock facilities and the expansion of existing livestock facilities are permitted in the Agricultural Designation without an amendment to the zoning by-law provided the proposed location is in compliance with the Minimum Distance Separation (MDS) Formulae.
- k) Existing mobile home parks are permitted in the Agricultural Designation. The establishment of new mobile home parks or the expansion of existing mobile home parks will only be permitted in accordance with the policies of Section 4.3.1.8.
- l) The extraction of aggregate, mineral or petroleum resources will be permitted in accordance with the *Aggregate Resources Act*, the *Mining Act* or the *Oil, Gas and Salt Resources Act*, as appropriate, subject to the policies of Section 5.3 of this Plan.
- m) Uses accessory to any of the permitted uses in the Agricultural Designation are permitted.
- n) The specific uses permitted and accessory uses will be established in the Zoning By-law. The provisions in the Zoning By-law will include building setbacks from property lines, on-site parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements and lighting control requirements for commercial and industrial uses.

6.2.2 Land Use Policies

The following policies apply to land designated Agricultural Designation.

- a) Development within the Agricultural Designation will also be subject to the policies of Section 3.3.11 of this Plan.
- b) Development within the Agricultural Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, and hazards which may be a constraint to development.
- c) In order to avoid land use conflicts within the Agricultural Designation, it is the policy of this Plan that the Minimum Distance Separation (MDS) Formulae be used to establish

appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. These standards will also apply to circumstances where new residential lots or other incompatible land uses are proposed in proximity to existing livestock facilities. The MDS-I and MDS-II calculation methods of the Province will apply. The Zoning By-law will establish separation distances between livestock operations (to be defined within the By-law) and non-agricultural land uses in accordance with Minimum Distance Separation Formulae.

- d) Land application of manure, biosolids and septage is regulated by the Province in accordance with the *Nutrient Management Act* and the *Environmental Protection Act*. Land application of manure, biosolids and septage will follow the requirements of the above noted legislation, and the regulations made under those Acts.
- e) Proposed development in the Agricultural Designation will be serviced with adequate water supply and sanitary sewage disposal services. Development proposals for non-agricultural uses will demonstrate the suitability of the site for the proposed method of water supply, sanitary sewage disposal and stormwater management to the satisfaction of the Town and other approval agencies.

6.2.3 Agricultural Lot Creation & Lot Adjustment

In the Agricultural Designation, the long-term interests of agriculture, including the preservation of farmland and the enhancement of farming operations will dominate. The following consent policies will apply to the lands designated Agricultural Designation in the Town.

A consent to sever may be granted for the following purposes:

- a) To divide a lot subject to the following conditions:
 - i) the minimum area of both the retained and severed lots will be approximately 20 hectares. Smaller severed lot sizes will only be considered by amendment to the zoning by-law where:
 - it can be demonstrated that the subject parcel can be a viable economic enterprise;
 - the size of the parcel to be severed and the parcel to be retained is appropriate for the type of agricultural purposes for each parcel;
 - the size of the parcel to be severed and the parcel to be retained is appropriate for the type of agriculture for the area in which the parcels are located; and
 - the size of the parcel to be severed and the parcel to be retained is sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.
 - ii) when either the proposed severed or retained lot does not contain an existing dwelling, and the subject lot is within 1,000 metres of an existing livestock facility, the consent must be implemented by a Zoning By-law amendment

requiring any new dwelling construction to meet the Minimum Distance Separation I Formula, including the Minimum Distance Separation Guidelines.

- b) Where a previous or current farm acquisition has rendered a habitable farm dwelling surplus to the needs of a farm operation, subject to the following conditions:
 - i) the remnant farm parcel will be zoned so as to prohibit the construction of any additional dwellings;
 - ii) the non-farm parcel will be zoned to recognize the non-farm residential use and will not accommodate a livestock operation;
 - iii) any livestock facilities to remain on the retained parcel will not be made unsuitable for further livestock operations if the Minimum Distance Separation I provisions cannot be met; and
 - iv) the implementing Zoning By-law will not impose a setback on nearby expanding livestock operations greater than that required by the application of Minimum Distance Separation II Formula including the Minimum Distance Separation Guidelines.

- c) For agricultural-related uses, which means those farm-related commercial and farm-related industrial uses that are small scale, directly related to the farm operation and required in close proximity to the farm operation, where the lot created will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.

- d) For the enlargement of an existing lot subject to the following conditions:
 - i) the viability of the retained lot as a farm parcel is not threatened;
 - ii) need must be demonstrated where the proposed enlargement is for a non-farm use; and
 - iii) the proposed severance must merge with the lot being enlarged in accordance with Sections 50(3) and (5) of the *Planning Act*.

- e) For minor boundary adjustments or corrections and easements, and in accordance with Sections 50(3) and (5) of the *Planning Act*, which do not result in the creation of a new lot.

6.3 Hamlet Designation

The Hamlets originated as service and residential centres for the surrounding agricultural community. The Hamlets Areas include the Settlement Areas of North and South Woodslee, Rochester Place/Deerbrook, St. Joachim, Ruscom and Staples. The Hamlet Designation recognizes the continued role and function of these Settlement Areas. Hamlet development, in concentrations of residential, commercial, community and industrial service uses, is the preferred development form over scattered non-farm development in the Agricultural Designation.

6.3.1 *Permitted Uses*

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Hamlet Designation on Schedule "C".

- a) Low density residential dwellings will be permitted.
- b) Home occupations will be permitted in association with a residential use.
- c) Bed and breakfast establishments will be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to criteria in the Zoning By-law.
- d) Small scale commercial and industrial uses will be permitted provided they are of a dry nature and do not require excessive amounts of water for their operations, and are compatible with adjacent uses.
- e) Small scale institutional uses, and park and open space uses will be permitted.
- f) Uses accessory to any of the permitted uses in the Hamlet Designation will be permitted.
- g) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.3.2 *Land Use Policies*

The following policies apply to land designated Hamlet Designation.

- a) Development within the Hamlet Designation will also be subject to the policies of Section 3.3.3 of this Plan. Servicing within the Hamlet Designation is dependent upon the particular Hamlet Area and will be subject to the policies of Section 7.3.
- b) Development within the Hamlet Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.

6.3.3 Site-Specific Policy Areas

6.3.3.1 Rochester Place/Deerbrook Recreationally Based Residential Community

Special Policy Area 6.3.3.1 is identified on Schedule "C", and relates to the development of an integrated, mixed-use and pedestrian-oriented "recreationally-based" residential community in the Rochester Place/Deerbrook Hamlet. The community may accommodate a diverse range of housing opportunities, a broad range of leisure, recreational and social opportunities, amenities, facilities and infrastructure that will cater to the needs of an aging population and a population that enjoys and values water-oriented activities and resources.

A recreationally-based residential community may be permitted on approximately 73 hectares of land located north of County Road 2, east of the Ruscom River and south of the CN Rail (VIA) right-of-way, in Part of Lots A, 1 and 2, East Ruscom River Concession, provided the following policies are complied with:

- a) This community will be designed and planned to function as an integrated, pedestrian-oriented and fully serviced neighbourhood.
- b) Permitted residential uses at this location will consist of low density, ground-oriented residential uses (single detached dwellings, semi-detached dwellings, and street townhouse dwellings) developed at a density which does not exceed 12 units per gross hectare.
- c) Permitted non-residential uses at this location will consist of a marina with a maximum of 400 boat slips, active and passive park facilities, bikeways/walkways and other linear and non-linear passive open space, natural areas and recreational/cultural facilities, and neighbourhood commercial uses (limited to a total gross floor area of 1,500 square metres regardless of ownership) intended to meet the needs of residents in the surrounding community with convenience goods and personal services.
- d) It is anticipated that this recreational-based residential community will be developed in phases over a 10 to 15 year timeframe, and will incorporate a broad range of amenities and services which will evolve and change over time to meet market and lifestyle needs.
- e) All new uses locating within this community will be required to conform to high performance standards, and all multi-unit residential buildings (street townhouses dwellings) and all non-residential development will be subject to site plan control, in accordance with Section 8.3 of this Plan.
- f) The method of providing full municipal sanitary sewage, stormwater management and potable water services to all development at this location will be in accordance with Section 7.3 of this Plan.

- g) The subject lands will be zoned in an appropriate holding zone in the Town's Zoning By-law pending Council approval of a comprehensive conceptual development and servicing plan for the entire site. Prior to the removal of the holding zone symbol on all or a portion of the lands affected, Council will be satisfied that the following additional policies have been complied with:
- i) a conceptual development plan (depicting lotting, road, bikeway/walkway, parkland and other land use features) and a master servicing plan for the entire site will be completed to the satisfaction of the Town, the Essex Region Conservation Authority, and the Province;
 - ii) a quantity and quality stormwater management plan for the entire site and an Environmental Impact Assessment will be completed to the satisfaction of the Essex Region Conservation Authority, the Province, the County of Essex, and the Town. The recommendations of these studies will be implemented through appropriate clauses in the associated subdivision and development agreements;
 - iii) a traffic impact study will be completed to the satisfaction of the County of Essex and the Town to ensure that safe and efficient vehicular access is provided to the site. The recommendations of the study will be implemented through appropriate clauses in the associated subdivision and development agreements and as conditions attached to the required access permits;
 - iv) subdivision and development agreements will be prepared and executed to the satisfaction of the Essex Region Conservation Authority, the Province, the County of Essex, and the Town;
 - v) it is the Policy of this Plan that lot creation approval on the lands will occur by draft plan of subdivision;
 - vi) new developments or site alteration will not be permitted within provincially significant wetlands; and
 - vii) new development may be permitted on adjacent lands, within 120 metres of a provincially significant wetland, provided the proponent demonstrates to the satisfaction of the Town and the Essex Region Conservation Authority that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.

6.4 Waterfront Residential Designation

The Waterfront Residential Designation consists of the historic predominately low density residential dwellings abutting Lake St. Clair or watercourses. The existing lakeshore/rural character of the Waterfront Residential Designation will be recognized and maintained. Development and site alteration will be subject to the environmental policies of Section 5.0 that outline the natural limitations relating to flood and erosion areas, hazard lands, soil, and topography.

6.4.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Waterfront Residential Designation on Schedule "C".

- a) A single unit residential dwelling will be permitted on a lot suitably sized to accommodate appropriate servicing systems.
- b) Home occupations will be permitted in association with a residential use.
- c) Bed and breakfast establishments will be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to criteria in the Zoning By-law.
- d) Small scale institutional uses, and park and open space uses will be permitted.
- e) Uses accessory to any of the permitted uses in the Waterfront Residential Designation will be permitted.
- f) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.4.2 Land Use Policies

The following policies apply to land designated Waterfront Residential Designation.

- a) Development within the Waterfront Residential Designation will also be subject to the policies of Section 3.3.4 of this Plan. Servicing within the Waterfront Residential Designation is dependent upon the particular Waterfront Area and will be subject to the policies of Section 7.3.
- b) Development within the Waterfront Residential Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, and hazards which may be a constraint to development.

- c) Small-scale commercial and industrial uses will not be permitted in the Waterfront Residential Designation to avoid intrusions into the residential area.
- d) Residential development will only be permitted on lots where there is sufficient land to accommodate appropriate servicing systems in accordance with Section 7.3 of this Plan. Land requirements will only include lands located outside the Natural Conservation Designation and hazard land areas, in accordance with Section 5.0 of this Plan.
- e) Lands designated Waterfront Residential Designation that have servicing constraints will be placed in a holding zone in the Zoning By-law, in accordance with Section 8.3.2.1 of this Plan. The holding symbol will be removed when appropriate water improvements and any other servicing improvements are undertaken to the satisfaction of the Town and the Province.

6.5 Urban Fringe Designation

The Urban Fringe Designation applies to existing concentrations of rural residential, commercial and industrial development at the periphery of the Town and adjacent to the urban areas of the Town of Essex and Tilbury urban area. The existing rural character of the Urban Fringe Designation will be maintained.

6.5.1 *Permitted Uses*

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Urban Fringe Designation on Schedule "C".

- a) A single unit residential dwelling will be permitted on a lot suitably sized to accommodate appropriate servicing systems.
- b) Small scale commercial and industrial uses will be permitted provided they are of a dry nature and do not require excessive amounts of water for their operations, and are compatible with adjacent uses.
- c) Existing low density residential dwellings on lots suitably sized to accommodate appropriate servicing systems will be permitted to continue.
- d) Home occupations will be permitted in association with a residential use.
- e) Bed and breakfast establishments will be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to criteria in the Zoning By-law.
- f) Small scale institutional uses, and park and open space uses will be permitted.
- g) Uses accessory to any of the permitted uses in the Urban Fringe Designation will be permitted.
- h) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.5.2 *Land Use Policies*

The following policies will apply to land designated Urban Fringe Designation.

- a) Development within the Urban Fringe Designation will also be subject to the policies of Section 3.3.5 of this Plan. Servicing within the Urban Fringe Designation is dependent upon the particular Urban Fringe Area and will be subject to the policies of Section 7.3.

- b) Development within the Urban Fringe Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, and hazards which may be a constraint to development.

6.5.3 Site-Specific Policy Areas

6.5.3.1 Essex Fringe Recreational/Commercial Area

The following policies apply to the lands designated Urban Fringe Designation and identified as Site-Specific Policy Area 6.5.3.1 on Schedule "C", which are generally located at the northeast corner of the intersection of Highway No. 3 and County Road 8:

- a) The permitted uses will include the range of use permitted in Section 6.5.1 in addition to a family oriented recreational commercial area consisting of such facilities as a mini golf area, a wedding pavilion, drive through and other restaurants, a craft store and nursery as well as accessory uses such as, but not limited to, paddle boat rentals, ice cream stands, administration facilities and picnic areas;
- b) The specific uses permitted and accessory uses will be established in the Zoning By-law;
- c) Appropriate sanitary sewage, stormwater management and potable water services will be provided in accordance with Section 7.3 of this Plan;
- d) Development will be undertaken in accordance with the recommendations of the Highway 3 Corridor Environmental Assessment; and
- e) All development will be subject to Site Plan Control in accordance with the policies of Section 8.3.4 of this Plan.

6.6 Residential Designation

The Residential Designation applies to the Urban Areas of the Town which consist of predominately residential uses in a variety of housing forms. The Residential Designation is expected to continue to accommodate attractive neighbourhoods and foster the creation of complete communities which provide for neighbourhood facilities and services such as elementary schools, parks, places of worship and local neighbourhood-oriented commercial uses which are integral to and supportive of a residential environment.

A variety of housing types are anticipated to be developed to meet the varying demands and characteristics of the population. Opportunities to provide housing for individuals or groups with special needs including the elderly and those with special physical, social or economic needs within the Town will be encouraged.

6.6.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Residential Designation on Schedule "C".

- a) The predominant use of land will be for a variety of residential dwelling types, including single detached dwellings, semi-detached dwellings and duplex dwellings.
- b) Medium density residential uses will be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the following criteria:
 - i) the density, height and character of the development will be compatible with adjacent uses;
 - ii) the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate transition;
 - iii) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
 - iv) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town, save and except where private septic systems will be permitted;
 - v) the development is adequately serviced by parks and school facilities;
 - vi) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
 - vii) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;

- viii) in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
 - ix) except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town; and
 - x) triplexes, fourplexes, freehold street townhouses or other similar small scale developments, may be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- c) Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing homes will be permitted to develop in accordance with the medium density residential policies of Section 6.6.1 (b).
- d) Bed and breakfast establishments will be permitted in any single detached residential dwelling, provided that all the required parking is accommodated on the same lot, and subject to criteria established in the Zoning By-law.
- e) Elementary schools and day care centres will be permitted, provided that they have direct access to an arterial or collector road.
- f) Places of worship, neighbourhood community and cultural centres and institutional uses of similar scale will be permitted, provided the following criteria are met:
- i) the use will have direct access to an arterial or collector road;
 - ii) the use will have an overall site area of up to a maximum of 2 hectares;
 - iii) the density, height and character of the development will be compatible with adjacent uses;
 - iv) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town, save and except where private septic systems will be permitted;
 - v) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
 - vi) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;
 - vii) driveway access will be approved by the Town or County; and
 - viii) the use will be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- g) Neighbourhood parks and trails will be permitted, whereas community parks, major parks and other large-scale recreational uses will only be permitted in the Parks and Open Space Designation.

- h) A home occupation in a dwelling unit will be permitted, provided the use does not change the residential character of the building and lot, and residential remains the principal use. The use will be compatible with the surrounding residential uses. Sufficient parking will be made available on-site.
- i) Small scale neighbourhood convenience commercial and personal service uses to serve the daily shopping needs of a neighbourhood will be permitted, provided the following criteria are met:
 - i) no more than one commercial structure or building will be permitted on any site or in any one location, and the gross floor area of the commercial use will generally not exceed 300 square metres;
 - ii) the building height will be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height will be compatible with the surrounding residential uses;
 - iii) landscaping, fencing, berming and other screening will be provided adjacent to residential land uses where appropriate;
 - iv) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;
 - v) driveway access will be approved by the Town and/or County;
 - vi) the commercial use will be located at or in close proximity, generally no more than 50 metres, from the intersection of arterial or collector roads, and will not be located mid-block within a residential area;
 - vii) the commercial use will be subject to a zoning by-law amendment, in accordance with Section 8.3.2 of this Plan; and
 - viii) the use will be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- j) Mobile homes and mobile home parks are considered a suitable housing alternative in certain circumstances and will only be permitted in accordance with the policies of Section 4.3.1.8.
- k) Uses accessory to any of the permitted uses in the Residential Designation are permitted.
- l) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.6.2 Land Use Policies

The following policies apply to land designated Residential Designation.

- a) Development within the Residential Designation will be further subject to the policies of Section 3.3.1 of this Plan. Servicing within the Residential Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.

- b) Development within the Residential Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.

6.7 Service Commercial Designation

The Service Commercial Designation applies to lands along the major transportation routes and minor nodes in the Urban Areas where commercial uses catering to the travelling public, destination oriented commercial uses, and/or space extensive commercial uses can be accommodated. The Service Commercial Designation primarily provides for commercial and retail uses and generally provides a less diverse array of goods, services and uses than permitted within the Central Area Designation and Mixed Use Designation.

6.7.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Commercial on Schedule "C".

- a) The primary permitted uses will include commercial and retail establishments that are destination oriented or are intended to serve the travelling public, including automobile service stations, vehicle sales and service, public garages, repair service and rental establishments, motels, hotels, restaurants, banks, animal hospitals, commercial recreation uses, private clubs, funeral homes, day care centres, food stores, drug stores, personal service shops, hardware, automotive and highway commercial uses.
- b) Uses accessory to any of the permitted uses in the Service Commercial Designation are permitted.
- c) Large Format Retail uses will not be permitted in the Service Commercial Designation. Large Format Retail uses are defined as any retail use, including supermarkets, home improvement stores, department stores and specific category retail uses over 3,000 square metres.
- d) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.7.2 Land Use Policies

The following policies apply to land designated Service Commercial Designation.

- a) Development within the Service Commercial Designation will be further subject to the policies of Section 3.3.1 of this Plan. Servicing within the Service Commercial Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
- b) Development within the Service Commercial Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.

- c) Service Commercial Designation development will be compatible with surrounding uses and will be adequately buffered from adjacent sensitive land uses.
- d) Adequate off-street parking and loading spaces will be provided in accordance with the Zoning By-law.
- e) Service Commercial Designation uses will only locate on Provincial Highways, subject to the approval of the Province and the Town, or County Roads subject to the approval of the County and Town, or arterial or collector roads, subject to the approval of the Town.
- f) A high standard of site design and maintenance will be required through site plan control in accordance with Section 8.3.4.

6.8 Recreational Commercial Designation

The Recreational Commercial Designation recognizes and supports those commercial uses which have a predominately recreational focus. A range of commercial uses are permitted that directly support the recreational use and associated recreational amenity. The Recreational Commercial Designation reinforces the recreational tourism attributes of the Town's waterfront, and provides policies for complementary and supporting commercial uses.

6.8.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Recreational Commercial Designation on Schedule "C".

- a) Recreation facilities operating largely for commercial gain including, marinas, parks, golf courses, travel trailer parks, campgrounds, amusement parks, hotels and motels, convention and meeting establishments, museums and galleries and other commercial recreational facilities including restaurants, clubs, taverns, snack bars, and convenience retail establishments.
- b) Resort-oriented commercial uses will be permitted, subject to consideration of the following:
 - i) the preferred location of resort-oriented commercial uses will be adjacent to arterial roads in locations which are not unreasonably disruptive to the character of surrounding resort residential uses;
 - ii) sites for such uses will be appropriately sized to accommodate any related outdoor activities, suitable building envelopes incorporating appropriate setbacks and separations, parking areas and sewage disposal systems, where private servicing is permitted in accordance with the policies of Section 7.3 of this Plan; and
 - iii) the proposed servicing is adequate to accommodate the proposed use.
- c) Within a Settlement Area, the permitted uses within the Residential Designation will be permitted within the Recreational Commercial Designation, except for elementary schools. Outside a Settlement Area, the permitted uses within the Residential Designation will be permitted as secondary uses within the Recreational Commercial Designation, except for elementary schools and provided appropriate servicing is made available in accordance with the policies of Section 7.3 of this Plan.
- d) Uses accessory to any of the permitted uses in the Recreational Commercial Designation are permitted.
- e) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.8.2 Land Use Policies

The following policies apply to land designated Recreational Commercial Designation.

- a) Development within the Recreational Commercial Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 3.3 of this Plan. Servicing within the Recreational Commercial Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
- b) Development within the Recreational Commercial Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.
- c) The permitted use will be compatible with the adjacent surrounding uses and with respect to building form, height, and setbacks.

6.9 Mixed Use Designation

The Mixed Use Designation applies to lands within the Mixed Use Nodes, including the Lakeshore West Mixed Use Node, and certain lands with frontage along County Road 22, which are located within the County Road 22 Mixed Use Corridor. The Mixed Use Designation provides for a range of commercial and residential uses characteristic of a transit supportive and higher intensity mixed use corridor. The policies provide for a transition of density, height and built form to ensure land use compatibility with adjacent uses.

6.9.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Mixed Use Designation on Schedule "C".

- a) Low density residential uses may be permitted on an existing lot of record.
- b) Residential uses will be permitted provided that the uses do not negatively impact the planned function of the area and subject to the following provisions:
 - i) in a building of a commercial character, residential uses will only be permitted above the ground floor; and
 - ii) in a building of a residential character, either single detached or multiple dwelling, residential and/or commercial uses will be permitted, provided the residential character of the building is maintained.

For the purposes of this Policy, the residential or commercial character of a building may be determined in consultation with the Chief Building Official of the Town.

- c) Existing single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not substantially change.
- d) Commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses are permitted.
- e) Commercial and retail establishments which are destination oriented or are intended to serve the travelling public will be permitted, including automobile service stations, vehicle sales and service, public garages, repair service and rental establishments, motels, hotels, restaurants, animal hospitals, commercial recreation uses, private clubs, funeral homes, day care centres, food stores, drug stores, personal service shops, hardware, automotive and highway commercial uses.
- f) Light employment uses are permitted, exclusive of industrial-related uses such as manufacturing, warehousing, processing, assembly, trucking and storage uses.

- g) Large Format Retail uses are defined as any retail use, including supermarkets, home improvement stores, department stores and specific category retail uses over 3,000 square metres. Large Format Retail uses may be permitted in the Mixed Use Designation provided they are located within a Mixed Use Node in accordance with the policies of Section 3.3.8, site-specific land use policies are established in Section 6.9.3 and implemented through a site-specific amendment to the Zoning By-law, and provided the following criteria are met to the satisfaction of the Town:
- i) a planning rationale report will be completed to assess the impact of the Large Format Retail use in relation to the planned function of the Mixed Use and Central Area Designation and impacts on adjacent uses, as well as any other matters determined by the Town;
 - ii) a retail market impact study will be completed in accordance with the policies of Section 4.4.3.1 of this Plan;
 - iii) a traffic impact study will be completed in accordance with the specific requirements of the Town, the County and the Province, as appropriate;
 - iv) a servicing and stormwater management plan will be completed in accordance with the specific requirements of the Town, the County and the Province, as appropriate;
 - v) an Urban Design Study and guidelines will be completed, subject to the policies of Section 4.2.1 of this Plan; and
 - vi) a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian amenities, phasing and other site elements, will be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.
- h) Medium density residential uses will be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments, hotels, motels and similar medium profile residential buildings, subject to the following criteria:
- i) the residential use is located within the Urban Area;
 - ii) the density, height and character of the development will be compatible with adjacent uses;
 - iii) the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate transition;
 - iv) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
 - v) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town;
 - vi) the development is adequately serviced by parks and school facilities;

- vii) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
 - viii) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;
 - ix) in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
 - x) except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town; and
 - xi) triplexes, fourplexes, freehold street townhouses or other similar small scale developments, may be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- i) Places of worship, neighbourhood community and cultural centres and institutional uses of similar scale will be permitted, provided the following criteria are met:
- i) the use will have direct access to an arterial or collector road;
 - ii) the use will have an overall site area of up to a maximum of 2 hectares;
 - iii) the density, height and character of the development will be compatible with adjacent uses;
 - iv) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town, save and except where private septic systems will be permitted;
 - v) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
 - vi) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;
 - vii) driveway access will be approved by the Town or County; and
 - viii) the use will be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- j) Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing homes will be permitted to develop in accordance with the medium density residential policies of Section 6.9.1 (h).
- k) Uses accessory to any of the permitted uses in the Mixed Use Designation are permitted.
- l) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.9.2 Land Use Policies

The following policies apply to land designated Mixed Use Designation.

- a) Development within the Mixed Use Designation will be further subject to the policies of Section 3.3.8 of this Plan. Servicing within the Mixed Use Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
- b) Development within the Mixed Use Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.
- c) The Town will encourage the consolidation of land to create large and more comprehensive development blocks. Consents are not permitted for the purposes of dividing land into smaller parcels for the creation of low density residential uses.

6.9.3 Site-Specific Policy Areas

6.9.3.1 Lakeshore West Mixed Use Node

The following policies apply to the lands designated Mixed Use within the Lakeshore West Mixed Use Node Site Specific Policy Area 6.9.3.1 on Schedule "C":

- a) The Lakeshore West Mixed Use Node policies of Section 3.3.8.1 of this Plan will apply.
- b) Permitted uses will include a full range of commercial, retail, Large Format Retail, office and entertainment uses as permitted in the Mixed Use Designation.
- c) The specific uses permitted and accessory uses will be established in the Zoning By-law. The type and amount of retail commercial facilities will be limited by the policies of this Plan and the Zoning By-law provisions applicable to each specific site, including restrictions with respect to permitted uses, definitions and numerical limits.
- d) Where lands are zoned with a holding symbol, the holding symbol will not be removed by the Town, on any part of the land zoned with a holding symbol, until such time as uncommitted reserve capacity for sanitary disposal, water and storm drainage is assigned to these lands(s) to the satisfaction of the Town and approval authority having jurisdiction, and subject to the policies of Section 8.3.2.1 and the site-specific policies of Section 6.9.3.1. Such servicing arrangements must address the provision of water, storm drainage and sanitary sewage disposal.

6.10 Central Area Designation

The Central Area Designation represents and designates the traditional downtown main streets and new high activity centres of the Town. The Central Area Designation accommodates the largest and most diverse concentration of central functions, including residential, retail, office, service, entertainment and other commercial uses, as well as government, institutional and community activities. The Central Area Designation applies to both Primary Nodes and Secondary Nodes. The range and scale of uses will be defined in the Town's Zoning By-law.

6.10.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Central Area Designation on Schedule "C".

- a) Commercial uses such as offices, eating establishments, service and convenience retail, entertainment uses and similar types of uses are permitted.
- b) Neighbourhood parks and trails will be permitted, whereas community parks, major parks and other large-scale recreational uses will only be permitted in the Parks and Open Space Designation.
- c) Community serving uses including institutional, places of worship, government facilities, cultural facilities, recreational facilities, libraries, public and private institutions and clubs are permitted.
- d) Employment uses including businesses and professional offices are permitted, exclusive of manufacturing, warehousing, processing, assembly, trucking and storage uses.
- e) Medium density residential uses will be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments, hotels and motels and similar medium profile residential buildings, subject to the following criteria:
 - i) the density, height and character of the development will be compatible with adjacent uses;
 - ii) the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate transition;
 - iii) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
 - iv) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town;
 - v) the development is adequately serviced by parks and school facilities;

- vi) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
 - vii) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;
 - viii) in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
 - ix) except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town; and
 - x) triplexes, fourplexes, freehold street townhouses or other similar small scale developments, may be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- f) High density residential uses are considered to be development forms greater than medium density residential uses which include triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings. The following criteria will be addressed in the consideration of applications for high density residential uses, especially in proximity to lower density residential development:
- i) the density, height and character of the development will be compatible with adjacent uses;
 - ii) the height, form and density of the proposed development is such that no undue adverse impacts in terms of overshadowing, increased traffic or loss of amenity area are created for surrounding residential uses;
 - iii) the ability of the site to accommodate necessary facilities and amenities, such as garbage storage, parking and landscaped areas;
 - iv) the relationship of the proposed high density residential use to nearby lower density residential uses, in view of the desire to provide an appropriate transition in height and density wherever possible;
 - v) the degree to which the site has access to significant open space amenities and community service facilities such as the waterfront, major parks, schools etc.;
 - vi) all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 7.2.2.2 of this Plan, will not be accepted by the Town;
 - vii) municipal watermains and sanitary sewers will be required and will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the Town;

- viii) adequacy of local services including schools and other community services. It is recognized that accessibility to such facilities, including health care services, may be particularly important to residents with special needs; and
 - ix) the use will be subject to site plan control, in accordance with the policies of Section 8.3.4 of this Plan.
- g) Large Format Retail uses which are defined as any retail use, including supermarkets, home improvement stores, department stores and specific category retail uses over 3,000 square metres, may be permitted in the Central Area Designation provided they are located within a Primary Node in accordance with the policies of Section 3.3.6, site-specific land use policies are established in this Section and implemented through a site-specific amendment to the Zoning By-law, and the following criteria are met to the satisfaction of the Town:
- i) a planning rationale report will be completed to assess the impact of the Large Format Retail use in relation to the planned function of the Central Area Designation or Mixed Use Designation and the impacts on adjacent uses, as well as any other matters determined by the Town;
 - ii) a retail market impact study will be completed in accordance with the policies of Section 4.4.3.1 of this Plan;
 - iii) a traffic impact study will be completed in accordance with the specific requirements of the Town, the County and the Province, as appropriate;
 - iv) a servicing and stormwater management plan will be completed in accordance with the specific requirements of the Town, the County and the Province, as appropriate;
 - v) an Urban Design Study and guidelines will be completed, subject to the policies of Section 4.2.1 of this Plan; and
 - vi) a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian amenities, and other site elements, will be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.
- h) Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing homes will be permitted to develop in accordance with the medium density residential policies of Section 6.10.1 (e).
- i) Uses accessory to any of the permitted uses in the Central Area Designation are permitted.
- j) The specific uses permitted and accessory uses will be established in the Zoning By-law. The type and amount of retail commercial facilities will be limited by the policies of this Plan and the Zoning By-law provisions applicable to each specific site, including restrictions with respect to permitted uses, definitions and numerical limits.

6.10.2 Land Use Policies

The following policies apply to land designated Central Area Designation.

- a) Development within the Central Area Designation will be further subject to the policies of Section 3.3.6 and Section 3.3.7. Servicing within the Central Area Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
- b) Development within the Central Area Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.
- c) The height, massing, orientation and layout of buildings within the Central Area Designation will promote the creation of a pedestrian scaled environment and reinforce the character of the main street.
- d) The site plan control policies of this Plan will apply to all development applications that include a non-residential component and multi-unit residential development applications.
- e) Adequate off-street parking and loading spaces will be provided in accordance with the Zoning By-law. Subject to the policies of Section 7.2.2.2, as an alternative to providing on-site parking for non-residential uses, the Town may accept cash-in-lieu of parking to improve parking conditions in a particular Central Area Designation.
- f) The height, density and massing of the development should be compatible with the adjacent low density residential uses through the use of appropriate transitions.
- g) Development within the Central Area Designation will be subject to a higher standard of urban design, in accordance with the policies of Section 4.2.1 of this Plan.

6.11 Employment Designation

The Employment Designation consists of lands that are characterized by their high visual profile and accessibility and are generally comprised of industrial, employment, accessory commercial and related uses. Employment Designations are located along a Provincial Highway, Rural Regional Road, Rural Secondary Road, Rural Collector Road, Urban Commercial/Employment Collector Road, and Urban Commercial/Employment Local Road. Generally, these areas are expected to accommodate a wide range of employment uses requiring high visibility and good accessibility.

6.11.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Employment Designation on Schedule "C".

- a) The predominant use of land will be a wide range of employment and industrial uses, subject to the policies of this Section, including manufacturing, logistics operations, warehousing, distribution, offices and related industrial and business park uses, in addition to ancillary service commercial uses serving the Employment Area employees and the travelling public.
- b) Industrial uses that require open storage of goods and materials such as manufacturing, processing, assembling, repairing, wholesaling, warehousing, trucking and storage will be permitted, however, the open storage will be screened such that it is not visible from a Provincial Highway, Rural Regional Road, Rural Secondary Road, Rural Collector Road, Urban Arterial Road, Urban Commercial/Employment Collector Road, and Urban Residential Collector Road.
- c) For uses that exhibit any or all of the following characteristics, a study will be prepared in accordance with the relevant MOE guidelines to demonstrate that the proposed use is compatible with any nearby potentially incompatible or sensitive uses:
 - i) outdoor storage of goods and materials;
 - ii) frequent shipment of products and/or materials;
 - iii) long production hours and shift operations/unusual hours of operation;
 - iv) large volumes of traffic at off-peak hours; and/or
 - v) likelihood of nuisances, such as noise, odour, dust, lighting or vibration.
- d) Commercial and office uses associated with and clearly ancillary to the main employment use are permitted.
- e) Institutional uses or destination oriented commercial and shopping uses, such as Large Format Retail uses will not be permitted.
- f) Parks and open space uses will be permitted.

- g) Uses accessory to any of the permitted uses in the Employment Designation will be permitted.
- h) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.11.2 Land Use Policies

The following policies apply to land designated Employment Designation.

- a) Development within the Employment Designation will be further subject to the policies of Section 3.3.2. Servicing within the Employment Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
- b) Development within the Employment Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.
- c) Those uses that create or potentially create extreme environmental stress as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment satisfactory to the Town.
- d) Industrial uses located adjacent to a Provincial Highway or arterial road will generally be limited to self-contained uses that produce and/or store a product where there is a low probability of significant emissions.
- e) An appropriate separation distance, based upon the Ministry of the Environment's relevant guidelines related to land use compatibility, will be established between an industrial land use and any sensitive land use. This separation distance will be enforced through a site specific amendment to the Zoning By-law and site plan control through the use of a minimum building setback applied to any industrial use building adjacent to an established or approved sensitive land use.
- f) Deviation from established separation distances will require detailed supporting studies of the potential impacts on the sensitive land use by the Industrial use, and vice-versa, and any recommended mitigation measures.
- g) Separation distances between sensitive land uses and industrial uses, or for industrial uses abutting Provincial Highways or arterial roads will be implemented through the Zoning By-law, as a condition of draft plan approval and/or through site plan control and may include measures such as:
 - i) building orientation, design and setbacks;
 - ii) landscaping and screening;
 - iii) access controls;

- iv) road improvements and widenings;
 - v) restrictions on the range of permitted uses; and
 - vi) restrictions on outside storage.
- h) Adequate off-street parking and loading facilities will be provided for all permitted uses for employees and visitors. Vehicle access will be oriented such that industry-related traffic will be discouraged from using local roads where other options are available. Loading facilities and service areas will be located to avoid conflict between pedestrian circulation, service vehicles and movement along the public rights-of-way and visibility from roadways.
- i) The provision of appropriate and adequate landscaping and/or other forms of buffering will be provided to:
- i) enhance all parking lots, and outdoor loading, storage and service areas; and
 - ii) provide separation between the use and any adjacent use, where appropriate.
- j) Industrial uses will be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads.
- k) Access to a Provincial Highway will require approval from the Province and the Town. Access to a County Road will require approval from the County and the Town.
- l) A high standard of site design and maintenance will be required through site plan control in accordance with Section 8.3.4.

6.11.3 Site-Specific Policy Areas

6.11.3.1 Comber Employment Area

The following policies apply to the lands designated Employment Designation and identified as the Comber Employment Area Site-Specific Policy Area 6.11.3.1 on Schedule "C":

- a) The uses permitted within the Employment Designation as outlined in Section 6.11.1 are permitted, and subject to the land use policies of Section 6.11.2.
- b) The lands identified as the Comber Employment Area Site-Specific Policy Area 6.11.3.1 Part A, permit the following additional uses, subject to the land use policies of Section 6.11.3.1 d):
 - i) recreational and entertainment based activities such as, but not limited to, a major speedway and entertainment facility;
 - ii) uses accessory to a motor speedway such as, but not limited to, race tracks, parking, and seating accommodations;
 - iii) uses complimentary to a motor speedway such as, but not limited to, concession stands, restaurant, a wide variety of entertainment facilities, campgrounds, hotels or motels; and

-
- iv) uses compatible with a motor speedway such as, but not limited to, service commercial and industrial uses that would service or share facilities with the other uses permitted such as, but not limited to, printing establishments, auto and auto parts sales and service, gas stations, and light manufacturing.
- d) The lands identified as the Comber Employment Area Site-Specific Special Policy Area 6.11.3.1 Part B, permit the following additional uses, subject to the land use policies of Section 6.11.3.1 d):
- i) recreational and entertainment based activities accessory and complimentary to a motor speedway and motor sport entertainment facility including: accessory uses such as race tracks, parking, seating accommodations; and complimentary and compatible uses such as concession stands, restaurants, a wide variety of entertainment facilities, campgrounds, hotels or motels, auto and auto parts sales and services establishments, gas stations and trial production and test facilities for automotive and farm implement manufacturers.
- e) The permitted uses outlined in Section 6.11.3.1 a) and b) are subject to the following policies:
- i) the implementing zoning by-law will place the entire property in a holding classification. The holding symbol will not be removed until such time as a complete servicing strategy and site plan is presented to and approved by the municipality and site plan and servicing agreements are entered into. The holding classification can be removed in phases. The Zoning By-law will establish where on the site the various uses are to be allowed once the holding classification is removed. Agriculture will be the only permitted use until the holding classification is removed.
- ii) the specific municipal servicing matters that must be addressed to the satisfaction of the applicable approval authority, and the Town, prior to the removal of the holding classification include:
- sanitary sewage treatment;
 - potable water supply;
 - storm water management;
 - vehicular traffic access including access to and from Highway No. 77 and 401;
- iii) the specific site plan matters that must be addressed to the satisfaction of the municipality prior to the removal of the holding classification include:
- noise mitigation measures;
 - air emissions;
 - on-site parking and on-site traffic movement;
 - signage;
 - lighting;
 - berming and landscaping.

- iv) Consents for any of the permitted uses will be granted, in accordance with the policies of Section 8.3.5.

6.11.3.2 Maidstone Rail-Related Employment Area

The following policies apply to the lands designated Employment Designation and identified as the Site-Specific Policy Area 6.11.3.2 on Schedule "C":

- a) The predominant use of land will be for dry industrial uses that require a location abutting a direct rail line. Examples of these types of industries include, but are not limited to, a transfer yard and a wood recutting operation;
- b) All development will be required to conform to high standards relating to parking, loading, lighting, landscaping, buffering, outdoor storage and access as set out in detail in the implementing zoning by-law and site plan agreements;
- c) Access to the lands will be restricted to County Road 19;
- d) The lands that are not planned for immediate development will be placed in a corresponding holding zone in the implementing zoning by-law. The holding provisions will not be removed until such time as development proposals complete with site plans are submitted and approved by the Town. In the interim, agricultural uses will be the only uses permitted on the site;
- e) Consent applications involving the lands will be in accordance with the policies of Section 8.3.5.2, and will generally not be permitted except for the creation of an easement or right-of-way or a minor lot alteration required for legal or technical reasons; and
- f) All development will be subject to site plan control in accordance with Section 8.3.4 of this Plan.

6.12 Major Institutional Designation

The Major Institutional Designation is intended to recognize those major public institutions that benefit the residents of the entire Town, and occupy large and prominent sites. These major institutional uses are important sources of both specialized services and employment for the entire Town, and include uses such as hospitals, secondary schools, post-secondary educational facilities, correctional facilities, courthouses, and government complexes. These institutional uses tend to be intensely built and attract high traffic volumes, and consequently require an independent land use designation.

6.12.1 *Permitted Uses*

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Major Institutional Designation on Schedule "C".

- a) Permitted uses will include major institutional uses, such as hospitals, clinics and treatment facilities, secondary schools, post-secondary educational facilities, government offices, places of worship, cemeteries, and government-operated institutions.
- b) Places of worship, nursing and retirement homes, museums and other cultural facilities, and private clubs are uses permitted principally in other land use designations which will also be considered as appropriate in the Major Institutional Designation.
- c) Ancillary uses which are of an appropriate scale and intended to service the main permitted use, such as a variety store, gift shop, restaurant/cafeteria, financial institution, pharmacy, or residence will also be permitted.
- d) Uses accessory to any of the permitted uses in the Major Institutional Designation are permitted.
- e) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.12.2 *Land Use Policies*

The following policies apply to land designated Major Institutional Designation.

- a) Servicing within the Major Institutional Commercial Designation is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
- b) Development within the Major Institutional Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.

- c) Specific development standards for permitted uses and ancillary uses will be included in the Zoning By-law and may include floor space limitations, parking requirements, and limitations on signage and advertising.
- d) Where an existing use in a Major Institutional Designation ceases, the Town may consider the redesignation of the site to an appropriate alternative designation only after examination of the following options for part or all of the site:
 - i) the use of the site for a suitable alternative institutional purpose;
 - ii) acquisition of the site or a portion of it by the Town for institutional or open space use, based on the park needs of the surrounding area; and
 - iii) the use of the site to meet housing targets, particularly for special needs housing.
- e) Any proposal to add or enlarge a Major Institutional Designation will be evaluated on the basis of:
 - i) the impact on and the compatibility with the uses surrounding the proposed site; and
 - ii) the adequacy of social and physical services, including roads to accommodate the proposed use.
- f) Adequate off-street parking areas will be provided in accordance with the provision of the Zoning By-law, and access to parking areas will be limited and designed to provide maximum safety for pedestrian and vehicular traffic.
- g) Major Institutional Designation uses will be located where there is direct access to an arterial or collector road to discourage traffic from using local roads.
- h) The profile of the development will relate to the adjacent buildings and uses and result in a gradual transition in terms of the profile of buildings, where applicable and appropriate.
- i) The site will be designed to be accessible to all persons within the community, including the elderly and those persons with physical disabilities.
- j) Appropriate landscaping and buffers will be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

6.12.3 Site-Specific Policy Areas

6.12.3.1 Wall's Historical Museum

The following policies apply to the lands designated Major Institutional Designation and identified as Site-Specific Policy Area 6.12.3.1 on Schedule "C":

- a) The Major Institutional Designation relates to the Wall's Historical Museum which is located on the site of the Underground Railway. This very unique area is comprised of a museum housed in a number of buildings and a railway car, an outdoor area and associated accessory uses such as a parking area. It is the policy of this Plan that the site may continue to develop and that a wide variety of accessory uses, such as snack bars and picnic areas may be permitted.

6.13 Natural Conservation Designation

Provincial policy requires the protection and conservation of Provincially Significant Wetlands (PSWs). The significant wetlands and their boundaries are identified by the Ministry of Natural Resources using the Ontario Wetland Evaluation System. This Plan designates all identified PSWs on Schedule "C" as Natural Conservation Designation. Schedule "B.1" illustrates the PSW and the adjacent 120 metre zone of influence.

6.13.1 *Permitted Uses*

Development and site alteration will not be permitted within the Natural Conservation Designation. Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Natural Conservation Designation on Schedule "C":

- a) Permitted uses will include conservation management, hunting, trapping, fishing, compatible recreational activities and education activities, subject to the approval of the Town, in consultation with the appropriate Conservation Authority.
- b) Facilities and structures such as boardwalks, duck blinds and fish huts may be appropriate, subject to the approval of the Town, in consultation with the Ministry of Natural Resources and appropriate Conservation Authority.
- c) Agricultural uses existing legally on the date of adoption of this Plan will be permitted to continue.
- d) Uses accessory to any of the permitted uses in the Natural Conservation Designation are permitted, subject to the policies of Section 5.2.1.
- e) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.13.2 *Land Use Policies*

The following policies apply to land designated Natural Conservation Designation.

- a) Based on mapping provided by the Ministry of Natural Resources, which is updated from time to time, the precise delineation of Provincially Significant Wetlands may be refined without amendment to this Plan. The Town will maintain up-to-date schedules reflecting the current delineation provided by the Ministry of Natural Resources. The addition or removal of PSWs will require an amendment to this Plan.
- b) Development or site alteration will generally not be permitted on land adjacent to a Provincially Significant Wetland, subject to the policies of Section 5.2.1.

- c) New utilities or facilities such as roads, sewer or water lines will be located outside of the Natural Conservation Designation. Where such utilities or facilities must be located within the Natural Conservation Designation, alternative methods and measures to minimize impacts on the wetlands will be considered. No utility structures, including communications towers, will be located within the Natural Conservation Designation.

- d) Provincially Significant Wetlands will be protected according to the policies of this Plan through the Zoning By-law.

6.14 Parks and Open Space Designation

The Town of Lakeshore provides a range of passive and active recreational opportunities to residents and visitors through the uses accommodated in the Parks and Open Space Designation. Recreation needs and facilities have been identified in the Community Services and Recreation Master Plan, and are further described in Section 4.3 of this Plan. The Parks and Open Space Designation accommodates recreational facilities, community centres, parks and other public open spaces. Neighbourhood parks form a component of the Town's recreational facilities and are accommodated in other land use designations. Additionally, the cultural needs of the Town may be met to some degree through facilities within the Parks and Open Space Designation.

6.14.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Parks and Open Space Designation on Schedule "C".

- a) Large-scale recreational facilities, arenas, community centres, cemeteries, fairs or exhibition grounds, community parks, major parks and other public park uses will be permitted, in accordance with the policies of Section 4.3.3.1.
- b) The conservation and enhancement of land and/or the environment, as well as the provision of active and passive outdoor recreational and educational opportunities will be permitted, particularly on land exhibiting environmental sensitivity or containing Natural Heritage Features.
- c) Uses accessory to any of the permitted uses in the Parks and Open Space Designation are permitted.
- d) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.14.2 Land Use Policies

The following policies apply to land designated Parks and Open Space Designation.

- a) Development within the Parks and Open Space Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.
- b) Neighbourhood parks will generally be included in all designations, except the Natural Conservation Designation, as they are considered to be an integral part of the neighbourhood area that they serve.
- c) The policies of Section 4.3.3 will apply to lands within the Parks and Open Space Designation.

6.15 Urban Reserve Designation

The lands designated Urban Reserve Designation are required to accommodate future urban and employment uses within the planning horizon of this Plan and generally include future residential, commercial, employment, institutional, community-related uses, parks and open spaces. Lands designated Urban Reserve Designation have been designated through a comprehensive review and are only permitted within a Settlement Area boundary. However, it is recognized that further planning study is required to determine the preferred land use, community design, transportation and servicing policies. In the meantime, the Urban Reserve Designation protects new agricultural uses and investment from locating in proximity to urban areas, thereby averting potential land use conflict.

6.15.1 Permitted Uses

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Urban Reserve Designation on Schedule "C".

- a) The predominant uses of land will be those uses existing and permitted on the date of adoption of this Plan, as well as agriculture uses and agriculture-related uses that are compatible with the surrounding Urban Area or Employment Area, including: the growing of crops, including nursery and horticultural crops; agro-forestry; maple syrup production; conservation uses and compatible uses.
- b) Public utilities and other uses, which would limit the type of residential and employment uses to be developed in the Urban Reserve Area, will not be permitted.
- c) Open space uses will be permitted.
- d) Uses accessory to any of the permitted uses in the Urban Reserve Area Designation are permitted. The accessory uses will be defined in the Zoning By-law.
- e) The specific uses permitted and accessory uses will be established in the Zoning By-law.

6.15.2 Land Use Policies

The following policies apply to land designated Urban Reserve Designation.

- a) Development within the Urban Reserve Designation will be further subject to the policies of Section 3.3.12.
- b) Lands designated Urban Reserve Designation are required to accommodate future urban and employment uses within the planning horizon of this Plan and will generally include future residential, commercial, employment, institutional, community-related uses, parks and open spaces. It is recognized that further planning study is required to determine the preferred land use, transportation and servicing policies, among other

matters. It is anticipated that all future uses within the Urban Reserve designation will be required to develop on the basis of full municipal sanitary sewage, stormwater management and potable water services.

- c) Those areas designated Urban Reserve Designation will require an amendment to this Plan prior to development for uses other than those permitted.
- d) Development within the Urban Reserve Designation will also be subject to the policies of Section 5.0 and Schedule "B" to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.

7.0 SERVICING GROWTH & CHANGE

7.1 Introduction

Growth and change is serviced in the Town of Lakeshore through a system of networks of infrastructure, which include the transportation system, water and wastewater system, stormwater management, waste management, utilities and telecommunication facilities. These systems play an important role in defining the Town and ensuring its sustainability, in terms of community health, economic competitiveness and environmental awareness. The policies of this Plan, strive to ensure the efficient and cost-effective co-ordination between the growth management framework and the provision of systems of networks and infrastructure.

7.2 Transportation System

Transportation plays an important role in determining the quality of life within a community through the level of service and accessibility to employment, social, recreational and shopping opportunities provided by the transportation network.

The Transportation Plan, set out in Schedule "D" is based on the inter-relationship of land use and transportation. The transportation system is intended to be compatible with and supportive of the land use pattern.

In addition to all the applicable Town requirements, all proposed development located in the vicinity of a Provincial Highway within the Ministry of Transportation's permit control area under the *Public Transportation and Highway Improvement Act*, will be subject to Ministry of Transportation approval.

7.2.1 Movement of Goods & People

The Town provides for a range of systems and networks for the movement of goods and people, including roads, cycling and trails, water transportation and rail corridors. The Town has excellent access to higher-order transportation systems including major Provincial Highways such as Highway 401 and rail corridors. Every effort will be made to ensure an efficient and effective transportation system to encourage and support economic development in the Town.

The following will be the policy of the Town:

- a) The Town will ensure the co-ordination between growth management and the transportation systems.
- b) The Town will work with transportation industries to facilitate the efficient movement of goods by improving the level of service while maintaining community safety and minimizing risk.
- c) The Town will ensure that appropriate transportation service is provided to Employment Areas.
- d) The Town will ensure that designated commercial areas are serviced by roads with appropriate traffic capacity.
- e) Through the passing of by-laws, the Town may establish truck routes along Provincial Highways, arterial roads and non-residential collector roads, thereby avoiding local roads in residential neighbourhoods, in order to protect residents from noise and corridor emission pollutants.
- f) The Town will maintain and encourage the protection of rail corridors for other linear uses should they become abandoned.

- g) The Town will support the provision of a new border crossing and work with the Ministry of Transportation, County of Essex and City of Windsor to provide for efficient cross-border travel.

7.2.2 Road System

Roads have different characteristics, depending on the nature of the surrounding land use and the intended function that they serve. For instance, rural roads within the agricultural areas will differ greatly in their function, design, right-of-way widths and character than roads within the Urban Areas and Hamlet Areas.

The roads also facilitate the safe and efficient movement of both people and goods through the Town at minimal economic, environmental and social cost. Additionally, the network is intended to promote the development pattern in the Town and be supportive of economic activity.

The following will be the policy of the Town:

- a) The efficiency of the transportation network should be maximized by coordinating transportation planning initiatives and activities with other levels of government and transportation agencies.
- b) All transportation services will be planned and constructed in a manner that supports the policies of this Plan. Upgrades to transportation services may be required to be approved in accordance with the *Environmental Assessment Act*.
- c) Corridors and rights-of-way for significant transportation facilities will be planned for and protected to serve the long-term needs of the Town. Development that could preclude the use of a corridor or right-of-way for its long-term purpose will not be permitted.
- d) The preservation and reuse of abandoned transportation corridors for purposes that maintain the corridor's continuous linear characteristics will be encouraged, whenever appropriate and feasible.
- e) Connectivity of the transportation network within the Town and crossing into adjacent jurisdictions will be maintained and improved, where possible and feasible.
- f) The Town will ensure that adverse environmental effects, such as noise, vibration and air quality deterioration, will be mitigated in the planning, design, and construction of elements of the transportation network in accordance with the policies of Section 5.4.2.
- g) The automobile will continue to be the main mode of transportation within the Town due to its predominantly rural character and Urban Area and Hamlet Area clusters, and dispersed population. Notwithstanding this, a land use pattern, density and mix

of uses will be promoted in the Urban Areas, particularly along the County Road 22 Mixed Use Corridor that reduces the length and number of vehicle trips.

- h) The Town will encourage the creation of a viable public transit system and other sustainable transportation modes such as walking and cycling.
- i) Safe and convenient pedestrian interfaces with roads will be encouraged.
- j) The impact of a development proposal on the transportation system, including the means of access, will be examined through a multimodal transportation impact study. Only those development proposals that can be accommodated in the existing system will be permitted. Where the transportation system is not adequate, the Town will require, as a condition of development approval, that the proponent of the development:
 - i) improve the transportation to accommodate the proposed development to the satisfaction of the Town, without the Town incurring any costs;
 - ii) make the necessary financial contributions for the required improvements; and/or
 - iii) dedicate rights-of-way for the development of roads.

The cost of traffic impact studies and any other required supporting documentation will be borne by the proponent. Costs incurred by the Town in engaging peer review consultants to evaluate the proposal and supporting submissions will be reimbursed by the proponent.

- k) Transportation impact studies will be undertaken in accordance with the Town's Transportation Impact Study Guidelines.
- l) New development will have regard to the Town's Corridor Management and Access Control Policy.
- m) New developments will have frontage on and access to a public road which is maintained on a year-round basis or to a private road which is developed and maintained to a standard acceptable to the Town. The Town will not be responsible in any way for the maintenance, upkeep or any other matter associated with the private road.

7.2.2.1 Hierarchy & Classification of Roads

Public roads in the Town will be classified into a hierarchy on the basis of jurisdiction, function, user characteristics, speed and interconnections. The Transportation Master Plan and Development Manual provide further guidance with respect to the transportation network and road hierarchy and classifications. The classification of roads and the existing and proposed road system is shown on Schedule "D".

The following will be the policy of the Town:

- a) The Town will review road corridors, in consultation with the Province and County, to determine if a change in road classification is necessary. The transfer of a road from one jurisdiction to another will not require an amendment to this Plan, notwithstanding the change in classification.
- b) Any change in the function of a road will not require an amendment to this Plan to change the classification depicted on Schedule "D". The Official Plan may be modified as a result of such a change in the function of a road at the time of a review in accordance with Section 8.2.1. Similarly, minor road widenings, re-alignments, by-passes, establishment of new roads, road reclassification or alteration of a proposed alignment will not require an amendment to this Plan.
- c) The Town will, as needed, enact access control by-laws for specified Town roads with present or anticipated high traffic flows. Access control by-laws may be developed for any Town road where high traffic or a significant percent of truck traffic develops.
- d) Development will only be permitted where frontage and access is to an open and public road that is maintained on a year-round basis or to a private road which is developed and maintained to a standard acceptable to the Town. Any road improvement required to bring a road up to a standard deemed appropriate by the Town will be at the expense of the benefiting landowner(s).
- e) Road access points will be designed to the satisfaction of the Town and be in locations that will not create a hazard due to impaired line of sight, or any other safety, transportation or land use planning consideration.
- f) Minimum right-of-way widths are provided for each classification of road. However, in the Urban Areas, Hamlet Areas, and in certain other circumstances, the Town may consider alternative development standards including reduced right-of-way widths. The Town recognizes that in some existing developed areas the reconstruction of roads to the standards required by the policies of this Plan may be economically or physically infeasible due to constraints of existing buildings, existing services, access driveways and other conditions. In order to secure needed road improvements in such cases, it will be necessary to find a realistic balance between accepted engineering standards and the disruptive effects upon existing conditions.
- g) Where additional land is required for road widenings and extensions, such land will be dedicated wherever possible, in the course of approving draft plans of subdivision or condominium, consents or site plan agreements, without amendment to this Plan. The dedication of such land will take into account the following:
 - i) the extent of the right-of-way that may be required as established in the policies of this Plan;

- ii) road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, historic building locations, grade separation, channelization, existing development or other unique conditions make the dedication of equal widenings infeasible;
 - iii) the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, sight triangles at intersections including intersections of an arterial road and a railway line, railway grade separations and/or any other traffic or road engineering consideration. The extent of the widening will be based on specific characteristics of the intersection and will be determined in accordance with accepted traffic engineering design criteria; and
 - iv) other requirements as established by the Town.
- h) No development or redevelopment of land will be approved in close proximity to an intersection or railway crossing which is scheduled for improvement until the improvement has been sufficiently designed to determine the land requirement for the improvement.
- i) As a measure of maintaining a satisfactory road system, the Town will pursue a program of improving road alignments, surfaces, and pavement widths, and establishing adequate road allowances for new roads as future development occurs. Provision will be made in the Zoning By-law for adequate setbacks for all new development, having regard for the width and function of the abutting road.
- j) Any proposals to widen, extend, realign or improve roads will consider Natural Heritage Features and cultural heritage landscape factors and attributes of adjacent land, or by views created by the road. The Town may require a landscape assessment prior to approval or endorsement of any proposals to widen, extend, realign or improve roads.
- k) Paved streets, curbs and gutters will be provided for any major new development or redevelopment in the Urban Areas to the satisfaction of the Town. Sidewalks may be required to be provided in new development or redevelopment as determined by the Town in accordance with the policies of this Plan. The Town may consider alternative development standards outside of the Urban Areas, subject to the policies of this Plan.
- l) The Town will encourage the use of traffic calming management techniques to reduce the impact of traffic on neighbourhoods and communities by improving road user safety and quality of life. This may include the use of physical road treatments such as reduced right-of-way widths, textured pavements, curb extensions or medians, traffic circles, bicycle lanes or on-street parking. The type of traffic calming technique will depend on the road characteristics and degree of required traffic flow impedance.

7.2.2.1.1 Provincial Highway

Provincial Highways No. 401, 77 and 3 are illustrated on Schedule "D" and are under the jurisdiction of the Ministry of Transportation.

The following will be the policy of the Town:

- a) The Ministry of Transportation will have jurisdiction and control over access to Highways No. 401, 77 and 3, and development within the Ministry's permit control area.
- b) Direct private access to the Provincial Highway will be restricted and will require the approval and permit(s) from the Ministry of Transportation. Developments and private access driveways will be encouraged to use existing Town roads and service roads wherever possible. Where access from the Provincial Highway is feasible, it will only be considered for those properties that meet the minimum safety and geometric requirements of the Ministry of Transportation. Where sufficient/adequate access is available to a Town road, access to the Provincial Highways will not be permitted.
- c) The Ministry of Transportation will determine the right-of-way width for the Provincial Highways.
- d) All development in proximity and adjacent to a Provincial Highway will be subject to the safety and geometric requirements and permits of the Ministry of Transportation. The Ministry of Transportation may require a site specific transportation impact study to be submitted for review and approval in order to determine the impact of development on a Provincial Highway.
- e) Generally, open storage and loading areas will be screened from Provincial Highways.
- f) Only those uses that are compatible with the operation of a patrol yard will be permitted to locate adjacent to the patrol yard. A patrol yard is located on lands at the northeast corner of the intersection of Highway 401 and County Road 27 (Belle River Road), and described as Part Lot 16, Concession 1 Belle River East.

7.2.2.1.2 Public Lane

A Public Lane is normally located in urban residential or commercial/employment areas to provide land access. Through traffic is generally prohibited as traffic movement is not a consideration. Public Lanes are intended to carry low volumes of traffic with no provision for pedestrian, cyclist or transit facilities.

The following will be the policy of the Town:

- a) A Public Lane will generally be two traffic lane roads with a road right-of-way width of 6 to 10 metres and be designed to carry low volumes and provide land access to residential or commercial/employment areas.
- b) Sidewalks, bicycle lanes and transit facilities are not intended on Public Lanes.
- c) Traffic calming techniques are not provided on Public Lanes.
- d) Typical traffic volumes on Public Lanes are generally less than 250 vehicles a day.

7.2.2.1.3 Urban Residential Local Road

The primary intended function of Urban Residential Local Roads is to provide land access to adjacent residential, commercial or other uses. Urban Residential Local Roads are intended to carry low volumes of traffic.

The following will be the policy of the Town:

- a) Urban Residential Local Roads will generally be two traffic lane roads with a road right-of-way width of 20 to 22 metres and be designed to carry local traffic and to provide land access to abutting properties. A minimum right-of-way width of 15 metres may be considered where it has been demonstrated appropriate to the satisfaction of the Town.
- b) Urban Residential Local Roads will be designed to discourage high speed traffic through appropriate traffic control and design measures.
- c) Sidewalks will generally be required on one side of Urban Residential Local Roads. In instances where Urban Residential Local roads lead directly to a school, park, community facility or other facility which generates pedestrian traffic, or where the safety of pedestrians are of particular concern, sidewalks should be considered on both sides of the road.
- d) Dedicated bikeways or separate cycling facilities are typically not required on Urban Residential Local Roads.
- e) Traffic calming techniques may be incorporated where required.
- f) Typical traffic volumes on Urban Residential Local Roads are generally less than 1,000 vehicles a day.

7.2.2.1.4 Urban Commercial/Employment Local Road

The primary intended function of Urban Commercial/Employment Local Roads is to provide land access to adjacent commercial and employment uses. Urban Commercial/Employment Local Roads are intended to carry low volumes of traffic.

The following will be the policy of the Town:

- a) Urban Commercial/Employment Local Roads will generally be two traffic lane roads with a road right-of-way width of 20 to 22 metres and be designed to carry local traffic and to provide land access to abutting properties.
- b) Urban Commercial/Employment Local Roads will be designed to discourage high speed traffic through appropriate traffic control and design measures.
- c) Sidewalks will generally be required on one side of Urban Commercial/Employment Local Roads. In instances where Urban Commercial/Employment Local Roads lead directly to a park, community facility or other facility which generates pedestrian traffic, or where the safety of pedestrians are of particular concern, sidewalks should be considered on both sides of the road.
- d) Dedicated bikeways or separate cycling facilities are typically not required on Urban Commercial/Employment Local Roads.
- e) Traffic calming is typically not permitted.
- f) Typical traffic volumes on Urban Commercial/Employment Local Roads are generally less than 3,000 vehicles a day.

7.2.2.1.5 Urban Residential Collector Road

Urban Residential Collector Roads are designed with the dual function of carrying moderate volumes of local traffic to arterial roads, and distributing arterial traffic to local roads, while providing access to abutting properties. Urban Residential Collector Roads are adjacent to residential/commercial land uses and provide connections to local, collector and arterial roads.

The following will be the policy of the Town:

- a) Urban Residential Collector Roads will generally be two traffic lane roads with a road right-of-way width of 20 to 24 metres and be designed to carry traffic to and from residential neighbourhoods and act as the connector between local and arterial roads.
- b) On-street parking may be permitted on one side of the road in the Urban Areas, although location and time restrictions may be enforced in specific instances; for example, adjacent to schools or during peak periods of traffic demand.

- c) Direct access to collector roads will be permitted, subject to geometric design considerations.
- d) In the Urban Areas, sidewalks will generally be constructed on one or both sides of Urban Residential Collector Roads.
- e) Dedicated bikeways, separate cycling facilities or wider curb lanes are encouraged.
- f) Passive traffic calming devices are permitted, as required.
- g) Typical traffic volumes on Urban Residential Collector Roads are generally between 1,000 to 20,000 vehicles a day.

7.2.2.1.6 Urban Commercial/Employment Collector Road

Urban Commercial/Employment Collector Roads are designed with the dual function of carrying moderate volumes of local traffic to arterial roads, and distributing arterial traffic to local roads, while providing access to abutting properties. Urban Commercial/Employment Collector Roads are adjacent to employment and commercial lands uses. Urban Commercial/Employment Collector Roads provide connections to local, collector and arterial roads.

The following will be the policy of the Town:

- a) Urban Commercial/Employment Collector Roads will generally be two traffic lane roads with a road right-of-way width of 20 to 24 metres and be designed to carry traffic to and from employment areas and act as the connector between local and arterial roads.
- b) On-street parking may be permitted on one side of the road.
- c) Direct access to Urban Commercial/Employment Collector Roads will be permitted, subject to geometric design considerations.
- d) In the Employment Areas, sidewalks will generally be constructed on one side of Urban Commercial/Employment Collector Roads.
- e) Dedicated bikeways or separate cycling facilities are generally not required.
- f) Traffic calming is generally not permitted.
- g) Typical traffic volumes on Urban Commercial/Employment Collector Roads are generally between 1,000 to 12,000 vehicles a day.

7.2.2.1.7 Urban Arterial Road

Urban Arterial Roads are roads designed to carry high volumes of traffic from Provincial Highways and other interregional roads to the collector road system, and vice-versa.

The following will be the policy of the Town:

- a) Access to Urban Arterial Roads to private properties is generally discouraged.
- b) The basic road right-of-way width for an Urban Arterial Road may range from 24 to 45 metres. The roadway width may vary for Urban Arterial Roads due to the range of intended use and varying adjacent land development. Setbacks from arterial roads will be established in the Zoning By-law.
- c) The flow of traffic on Urban Arterial Roads will take precedence over on-street parking, except in the Primary Nodes, where traffic and on-street parking needs will be balanced.
- d) In the Urban Areas, sidewalks will generally be constructed on both sides of an Urban Arterial Road.
- e) Dedicated bikeways or separate cycling facilities may be provided on Urban Arterial Roads.
- f) Traffic calming is not permitted.
- g) Typical traffic volumes on Urban Arterial Roads are generally between 5,000 to 30,000 vehicles a day.

7.2.2.1.8 Rural Regional Road

Rural Regional Roads are roads designed to provide mobility to traffic throughout areas of low density and low development activity. Rural Regional Roads typically link centres of activity separated by large distances and provide connections with collectors, arterials or highways. Rural Regional Roads typically service relatively high volumes of traffic at high speeds. Many of the County Roads are designated as Rural Regional Roads.

The following will be the policy of the Town:

- a) The basic road right-of-way width for a Rural Regional Road may range from 24 to 45 metres. The roadway width may vary for Rural Regional Roads due to the range of intended use and varying adjacent land development. Setbacks from Rural Regional Roads will be established in the Zoning By-law.
- b) Sidewalks may be considered and shoulder bike lanes may be considered on Rural Regional Roads, particularly where the Rural Regional Road is a connecting link to an Urban Area or is identified as a bicycle route.

- c) On certain Rural Regional Roads that exhibit high traffic volumes, access limitations may be required.
- d) Rural Regional Roads under the jurisdiction of the County of Essex may require access approvals from the County of Essex.
- e) The Town and/or County will address the adequacy of sight distances related to the road alignment and will avoid multiple individual access points when reviewing development applications on Rural Regional Roads.
- f) Typical traffic volumes on Rural Regional Roads are generally between 1,000 to 20,000 vehicles a day.

7.2.2.1.9 Rural Secondary Road

Rural Secondary Roads are roads designed to provide mobility to traffic throughout areas of low density and low development activity and land access. Rural Secondary Roads typically service lower traffic volumes at slightly lower speeds than Rural Regional Roads.

The following will be the policy of the Town:

- a) The basic road right-of-way width for a Rural Secondary Road may range from 24 to 45 metres. The roadway width may vary for Rural Secondary Roads due to the range of intended use and varying adjacent land development. Setbacks from Rural Secondary Roads will be established in the Zoning By-law.
- b) Sidewalks may be considered and shoulder bike lanes may be considered on Rural Secondary Roads, particularly where the Rural Secondary Road is a connecting link to an Urban Area or is identified as a bicycle route.
- c) The Town will address the adequacy of sight distances related to the road alignment and will avoid multiple individual access points when reviewing development applications on Rural Secondary Roads.
- d) Typical traffic volumes on Rural Secondary Roads are generally between 200 to 10,000 vehicles a day.

7.2.2.1.10 Rural Collector Road

Rural Collector Roads are roads designed to primarily provide access to individual properties throughout areas of low density and low development activity and land access. Rural Collector Roads typically service lower traffic volumes at slightly lower speeds than Rural Secondary Roads.

The following will be the policy of the Town:

- a) The basic road right-of-way width for a Rural Collector Road may range from 20 to 26 metres. The roadway width may vary for Rural Collector Roads due to the range of intended use and varying adjacent land development. Setbacks from Rural Collector Roads will be established in the Zoning By-law.
- b) Sidewalks may be considered and shoulder bike lanes may be considered on Rural Collector Roads, particularly where the Rural Collector Road is a connecting link to an Urban Area or is identified as a bicycle route.
- c) The Town will address the adequacy of sight distances related to the road alignment and will avoid multiple individual access points when reviewing development applications on Rural Collector Roads.
- d) Typical traffic volumes on Rural Collector Roads are generally between 200 to 5,000 vehicles a day.

7.2.2.1.11 Rural Local Road

Rural Local Roads are roads designed to primarily provide access to individual properties throughout areas of low development activity and land access. Rural Local Roads service lower traffic volumes at slightly lower speeds than Rural Collector Roads.

The following will be the policy of the Town:

- a) The roadway width may vary for Rural Local Roads due to the range of intended use and varying adjacent land development. Setbacks from Rural Local Roads will be established in the Zoning By-law.

7.2.2.2 Parking

The parking management policies focus on the promotion of efficiently planned, compact and accessible development for all modes of transportation. Given that the automobile will continue to be the principle mode of transportation within the Town, the provision of sufficient parking, in terms of size, location and quantity is an important consideration in this Plan.

The following will be the policy of the Town:

- a) Except in Primary Nodes, all new development and redevelopment, including re-use of existing buildings, will be required to provide adequate off-street parking and loading spaces in accordance with standards established in the Zoning By-law. Access and egress to all off-street parking or loading spaces will be limited in number and designed to minimize danger to vehicular and pedestrian traffic.

- b) The Town will assess parking needs in the Primary Nodes in order to provide adequate on- and off-street parking.
- c) All new development or redevelopment in the Primary Nodes, except for residential uses, will be encouraged to provide sufficient parking on-site to accommodate the proposed use. If such parking cannot be provided, the Town at its sole discretion may collect cash-in-lieu pursuant to Section 40 of the *Planning Act* to be used expressly for the provision of additional parking spaces in an appropriately defined area. Residential uses in the Primary Nodes will not be permitted to develop on the basis of cash-in-lieu of parking.
- d) Shared parking amongst residential and non-residential uses may be promoted to provide for a more efficient use of fewer parking spaces.
- e) Efficient site design practices will be promoted which focus on compact and accessible land development to minimize land consumption.
- f) Opportunities to provide alternative modal choices such as cycling, walking and transit will be promoted to reduce parking demand.
- g) The Town will review the design and layout of parking areas in accordance with the Town's parking guidelines.

7.2.3 *Public Transit Systems*

While there is no existing comprehensive public transit system in the Town of Lakeshore, the Town will support public transit system connections to the Town of Tecumseh and the City of Windsor. County Road 22 is envisaged as a strategic corridor for the creation of a public transit system which connects the Primary Nodes and the Mixed Use Node by a higher intensity, mixed use corridor.

The following will be the policy of the Town:

- a) The Town will encourage connections with a Regional public transit system.
- b) The Town will support County Road 22 as a mixed use transit supportive corridor and work with the neighbouring municipalities, the Region, and transit providers to provide a viable transit service for the Town. Where transit corridors exist or are to be developed, the Town will identify density targets for areas adjacent or in proximity to these corridors.
- c) The Town will promote public transit connections to major community destinations, including shopping areas, Employment Areas, institutional and public services and major recreational destinations.

7.2.4 *Walking, Cycling & Trail Systems*

A shift towards active lifestyles and increasing demands for sustainable modes of transportation presents a need for a useful and accessible walking and cycling network in the Town. This Plan recognizes that bicycle and pedestrian trails and paths contribute to healthy communities and supports such sustainable modes of travel. The Town encourages the development and enhancement of pedestrian and shared use of non-motorized trails and bicycle routes.

The following will be the policy of the Town:

- a) The Town will work towards providing safe bicycle and pedestrian paths, both separated from the roadway, on existing and proposed roads, on abandoned rail corridors, on utility corridors, and within parks and open spaces, as appropriate and in accordance with Section 7.2.5.
- b) The Town will consider adapting roads to provide safer travel for bicycles and pedestrians on road pathways, where feasible and appropriate.
- c) The Town will undertake to interconnect existing walking trails and bicycle paths, where feasible and appropriate to provide continuous trail system linkages. Routes should provide continuous access between neighbourhoods, parks, schools, recreation facilities, the waterfront, business areas and other public buildings and services.
- d) The Town will promote accessible and convenient trail systems within a reasonable distance from the target neighbourhoods and major destinations.
- e) The Town will promote aesthetically pleasing trail systems, particularly for recreational purposes. Particular attention will be given to trail systems associated with natural assets including the waterfront, parks, and natural features.
- f) The implementation of trail systems should be feasible given the consideration of the costs and benefits associated with the route selection. This should take into consideration the costs of healthy living, environmental sustainability, and the quality of neighbourhood character.
- g) The Town will encourage the integration of bicycle path and walkway systems into the design of transportation facilities by including facilities such as sufficient and protected bicycle storage areas, places of employment and major community, institutional, educational, cultural and shopping locations, where appropriate.
- h) The Town will implement and operate an effective trail system maintenance program.

- i) The Town will promote opportunities for public access to the waterfront and the development of a waterfront trail system and open space linkages along Lake St. Clair and major waterfront areas throughout the Town.
- j) The Town will explore opportunities for the reuse of abandoned rail corridors for potential trail systems.
- k) Throughout the Town there are a number of navigable waterways flowing into Lake St. Clair. The Town supports the provision of recreational trail opportunities and access along these waterways.
- l) The Town will support the creation of the primary bicycle network as identified in the Town's Transportation Master Plan.

7.2.5 Rail Corridors

The Town supports the continuation of a safe and efficient railway network within the Town. Development adjacent to railways will be carefully controlled to eliminate land use conflicts and ensure the safe and continued operation of the rail line.

The following will be the policy of the Town:

- a) Any proposed new residential or other sensitive use within 300 metres of an active railway right-of-way will be supported by noise and compatibility studies, completed to the satisfaction of the Town, in consultation with the appropriate railway company.
- b) Any proposed new development within 75 metres of an active railway right-of-way will be supported by a vibration impact study, completed to the satisfaction of the Town, in consultation with the appropriate railway company.
- c) For development adjacent to a railway right-of-way, appropriate safety measures such as setbacks, berms and security fences will be provided to the satisfaction of the Town in consultation with the appropriate railway company.
- d) Proponents of development within 300 metres of an active railway right-of-way are encouraged to consult with the appropriate railway company prior to filing formal development applications.
- e) The Town supports the reuse of abandoned rail corridors for potential trail systems, in accordance with the policies of Section 7.2.4.
- f) The Town will encourage economic development opportunities associated with the rail transportation system, which may include rail yards associated with employment uses, and the accommodation of future inter-modal facilities.
- g) The Town will encourage the provision of a VIA rail station in Belle River.

7.2.6 *Marine Systems*

The Lake St. Clair shoreline provides for important marine recreational opportunities. This Plan recognizes the future potential for commercial transportation opportunities, including the movement of goods and ferrying services.

The following will be the policy of the Town:

- a) The planning and development of port, docking, harbour and associated rail and road facilities whether initiated by federal, provincial and other agencies, or the private sector, should be carried out comprehensively and should consider such matters as the:
 - i) environmental impacts both during and after construction;
 - ii) public use of and access to port facilities;
 - iii) most effective intermodal linkages with transportation facilities;
 - iv) integration of functions into multi-use facilities;
 - v) coordination and conformity with Town and County planning policies, and other public policy matters, including prevailing Provincial policy;
 - vi) land use impacts, land use compatibility, the appropriateness of the proposed location, and urban and site design considerations;
 - vii) traffic impacts and the coordination of roads and parking;
 - viii) stormwater management;
 - ix) coastal and port engineering; and
 - x) economic and municipal fiscal impacts.

7.3 Sewage & Water Systems

The Town's Water and Wastewater Master Plan identifies the long-term servicing strategy for the Town of Lakeshore. The Town will ensure that a cost-effective and adequate system of water supply and sewage treatment is provided to support, enhance and sustain existing and future residents and businesses in the Town.

7.3.1 Servicing Hierarchy

The preferred hierarchy of sewage and water services in the Town is outlined in Table 7.1 according to the community structure policy areas as identified in Section 3.3 and delineated on Schedule "A" of this Plan. Table 7.1 identifies the community structure policy areas and Settlement Areas where municipal sewage and/or water services exist or will be provided.

Table 7.1 – Hierarchy of Sewage and Water Services

Community Structure Policy Area	Settlement Area	Servicing Requirement	
		Water	Sewage
Urban Areas	Belle River	Municipal	Municipal
	Comber	Municipal	Municipal
	Lighthouse Cove	Municipal	Municipal*
	Maidstone	Municipal	Municipal
	Stoney Point/Pointe-Aux-Roches	Municipal	Municipal
Employment Areas	Comber	Municipal	Municipal
	Highway 401/County Road 19	Municipal	Municipal*
	Maidstone	Municipal	Municipal
	Stoney Point/Pointe-Aux-Roches	Municipal	Municipal
Urban Reserve Areas	Maidstone	Municipal	Municipal**
Hamlet Areas	North and South Woodslee	Municipal	Municipal**
	Rochester Place/Deerbrook	Municipal	Municipal*
	Ruscom	Municipal	Private*
	St. Joachim	Municipal	Municipal*
	Staples	Municipal	Private*
Waterfront Areas	Belle River Strip	Municipal	Municipal
	Ruscom River Strip	Municipal	Municipal
	Puce River Strip	Municipal	Municipal
	Various un-named Settlement Areas along the Lake St. Clair shoreline	Municipal	Municipal
Urban Fringe Areas	Essex Fringe	Municipal	Municipal
	Tilbury Fringe	Municipal	Private
Agricultural Area		Private	Private

* Wastewater treatment plant and collection system is not currently available.

** Wastewater treatment plant is available however collection system is not currently available.

The following sections outline the servicing policies with respect to the servicing requirements identified in Table 7.1, including: municipal water and sewage services; municipal water and private sewage services; and private water and sewage services.

7.3.1.1 *Municipal Water & Sewage Services*

The following policies will apply to community structure policy areas serviced by municipal sewage and water services:

- a) The Town will ensure that both municipal water supply and sewage systems perform within permitted operating standards. Prior to development approval involving significant lot creation and/or development, the Town may require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal potable water and sewage systems will be a constraint to further development. The Town will continue to monitor treatment capacities and operational effectiveness of these municipal systems.
- b) Development in proximity to any water pollution control plant (WPCP) or sewage treatment plant will adhere to the separation distances of the appropriate Ministry of the Environment guidelines. Prior to the approval of any development of a sensitive land use in proximity to a WPCP, the MOE will be consulted, and its guidelines will be satisfied.
- c) Priority will be given to the development of land that is presently serviced by piped water and sewer systems, or those areas that can most easily be serviced, at minimal expense.
- d) Infilling of vacant areas which are already provided with full municipal services is encouraged, and will be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, utilities or the associated construction.
- e) In order to ensure the efficient use of land and municipal services, development, including lot creation, on private servicing systems (water and/or sewage disposal) will generally not be permitted. However, exceptions will be considered in areas not serviced by municipal water and/or sewage services on the basis of a site-specific amendment to the Zoning By-law, and satisfaction of the following criteria:
 - i) a water and sewage servicing master plan is in place to provide future municipal water and sewage systems to service the lands;
 - ii) the development of the land and accommodation of a private servicing system will not preclude the ultimate extension of municipal water and sewage systems to service the lands;
 - iii) at such time as municipal water and/or sewage services become available, the landowner, at their expense, will be required to connect to municipal water and/or sewage services;
 - iv) the topography, soil and environmental characteristics of the land is able to accommodate an appropriate private water and sewage system that will minimize adverse environmental impacts;

- v) water and sewage servicing systems will satisfy the applicable development standards of the Town and approval of the authority having jurisdiction; and
 - vi) the proposed development is consistent with this Plan and Town objectives.
- f) The application of a holding symbol in accordance with the policies of Section 8.3.2 of this Plan may be implemented until such time as municipal water and sewage systems are available.
- g) Where a wastewater treatment plant and a collection system is not currently proposed, as indicated in Table 7.1, limited lot creation may be permitted to allow for infilling and rounding out of existing development provided that:
- i) there is sufficient uncommitted reserve water system distribution and treatment capacity available in the Town's water distribution and treatment works;
 - ii) where piped municipal water services are not available, hydrogeologic conditions (quality and quantity) for the establishment of a private well are suitable without causing well water interference; and
 - iii) site conditions are suitable for the long-term provision of private on-site potable water and sanitary sewage collection and treatment to the satisfaction of the applicable statutory approval authority.
- h) Where a wastewater treatment plant is available however a collection system is not currently available as indicated on Table 7.1, lot creation may be permitted conditional on the need to contribute to the development of the collection system and the application of a Holding symbol, provided the feasibility of extending the collection system has been established.

7.3.1.2 Municipal Water & Private Sewage Services

The following will be the policy of the Town:

- a) Municipal piped potable water supply in the absence of municipal sanitary sewers will only be permitted in the following circumstances:
 - i) where they are necessary to address failed individual on-site sewage services in existing development; and
 - ii) within Settlement Areas, to allow for infilling and rounding out of existing development on partial municipal services provided that:
 - the development is within the reserve water system capacity of the Town's potable water system; and
 - site conditions are suitable for the long-term provision of such services.
- b) The Town will ensure that municipal water systems perform within permitted operating standards. Prior to development approval involving significant lot creation

and/or development, the Town may require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal water systems will be a constraint to further development. The Town will continue to monitor treatment capacities and operational effectiveness of this municipal system.

- c) Priority will be given to the development of land that is presently serviced by piped water systems, or those areas that can most easily be serviced, at minimal expense.
- d) The Town may consider extension of municipal sanitary sewer services to address an existing sewage disposal or water quality problem that represents a hazard to public health and safety and provided that the Town is satisfied that there is positive public benefit from such action for residents of the Town.
- e) Private sewage disposal may be provided by the septic tank and weeping tile system. The installation of septic systems is subject to the approval of the authority having jurisdiction.
- f) The Town and/or the appropriate agency is responsible for the approval of all new septic tank and tile or leaching bed systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.
- g) Communal servicing systems to service new development will not be permitted except under specific circumstances outlined in this Plan. Communal servicing systems may only be considered to resolve existing servicing malfunctions, physical constraints and/or deficiencies posing potential public health risks.

The Town will not assume any communal servicing systems, and will generally not execute responsibility agreements in relation to such systems, unless required to resolve existing servicing malfunctions, physical constraints and/or deficiencies posing potential public health risks. In the case of freehold tenure, the Town will assume ownership and maintenance of the communal servicing system into perpetuity. In the case of condominium tenure, the Town may enter into a municipal responsibility agreement.

Prior to assuming a communal servicing system or entering into a responsibility agreement, as a result of circumstances outlined in this Subsection, the Town will be satisfied with the design and economic sustainability of the system and will require that certain financial securities and assurances be posted, and that a separate financial and maintenance agreement be executed between the owner of the system and the Town.

- h) Holding tanks will not be permitted for new development. Holding tanks will only be permitted for existing development where the Town is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the Town will ensure that appropriate provisions are in place for

disposal of hauled sewage at a facility that has received statutory approval from the applicable approval authority to receive hauled sewage, or that there is treatment capacity for hauled sewage at a municipal facility that has received statutory approval from the applicable approval authority. Holding tanks, if permitted to be used, must obtain necessary statutory approvals from the applicable approval authority.

- i) Any lot affected by an application for consent or plan of subdivision will be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
- j) Development in proximity to any water pollution control plant (WPCP) or sewage treatment plant will adhere to the separation distances of the appropriate Ministry of the Environment (MOE) guidelines. Prior to the approval of any development of a sensitive land use in proximity to a WPCP, the MOE will be consulted, and its guidelines will be satisfied.
- k) The application of a holding symbol in accordance with the policies of Section 8.3.2 of this Plan may be implemented until such time as:
 - i) municipal water systems with sufficient uncommitted reserve treatment and distribution capacity are available; and
 - ii) the appropriate permits are received for the provision of private sanitary sewage systems.

7.3.1.3 Private Water & Sewage Services

The following will be the policy of the Town:

- a) The primary means of sewage disposal is the septic tank and weeping tile system. It is anticipated that private sewage disposal systems will continue to be the principal means of sewage disposal. The installation of septic systems is subject to the approval of the appropriate authority having jurisdiction.
- b) In areas outside of the established municipal sanitary sewer and potable water service areas, the Town may consider the extension of municipal sanitary sewer or water services, but only to address an existing sewage treatment/disposal or water quality problem that represents a hazard to public health and safety and provided that the Town is satisfied that there is positive public benefit from such action for residents of the Town. The Town will undertake any extensions, in accordance with the applicable requirements of the *Environmental Assessment Act*.
- c) The Town and the appropriate statutory approval authority are responsible for the approval of all new septic tank and tile or leaching bed systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.

- d) Communal servicing systems to service new development will not be permitted except under specific circumstances outlined in this Plan. Communal servicing systems may only be considered to resolve existing servicing malfunctions, physical constraints and/or deficiencies posing potential public health risks.

The Town will not assume any communal servicing systems, and will generally not execute responsibility agreements in relation to such systems, unless required to resolve existing servicing malfunctions, physical constraints and/or deficiencies posing potential public health risks. In the case of freehold tenure, the Town will assume ownership and maintenance of the communal servicing system into perpetuity. In the case of condominium tenure, the Town may enter into a municipal responsibility agreement.

Prior to assuming a communal servicing system or entering into a responsibility agreement, as a result of circumstances outlined in this Subsection, the Town will be satisfied with the design and economic sustainability of the system and will require that certain securities be posted, and that a separate financial assurance and maintenance agreement be executed between the owner of the system and the Town.

- e) Holding tanks will not be permitted for new development. Holding tanks will only be permitted for existing development where the Town is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the Town will ensure that appropriate provisions are in place for disposal of hauled sewage at a facility that has received statutory approval from the applicable approval authority to receive hauled sewage, or that there is treatment capacity for hauled sewage at a municipal facility that has received statutory approval from the applicable approval authority. Holding tanks, if permitted to be used, must obtain necessary statutory approvals from the applicable approval authority.
- f) Any lot affected by an application for consent or plan of subdivision will be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
- g) The application of a holding symbol in accordance with the policies of Section 8.3.2 of this Plan may be implemented until such time as the appropriate permits are received for the provision of private water and/or sewage systems.

7.3.2 Servicing Allocation & Phasing

The following will be the policy of the Town:

- a) When unallocated servicing capacity does not exist for a proposed development, the Town will defer the processing of the planning application until capacity is

available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development within one year of the granting of the planning approval. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.

- b) The timing of development in the Urban Areas and Employment Areas will be based on the management of the geographic sequence and balance such that:
 - i) there is a logical extension of municipal services that avoids, where possible, large undeveloped tracts of land between the existing urban development area and the proposed development;
 - ii) a compact form and pattern of development is maintained;
 - iii) the impacts to Natural Heritage Features and watercourses have been considered and have been adequately mitigated or eliminated;
 - iv) the provision of all municipal services, as appropriate, proceeds in an economically viable manner; and
 - v) first priority is given to reserving servicing capacity for infilling, intensification and redevelopment.

- c) When conditions of development approval, draft plan approval or otherwise, are not fulfilled within a reasonable time period for which development approval has been granted, the Town may not support the extension of development approval and assign the servicing allocation to other developments or areas of the Town, or hold the capacity in reserve. Prior to the lapsing of development approval the development proponent may request an extension to fulfill the conditions of approval. Provided the Town is satisfied with the merits of the request for an extension of development approval, the Town may choose to extend the approval period. No extension is permissible if the draft plan of subdivision or condominium approval has lapsed before the extension is given.

- d) The Town may insert a clause in the conditions of development approval, including conditions of draft plan approval, reflecting the policies of this Section.

7.3.3 Stormwater Management

The topography of the Town is very flat and is drained by an extensive network of inland watercourses, municipal drains and mechanical pumping systems where low lying lands are below lake level. In the Urban Areas and Employment Areas, impermeable surfaces such as building rooftops and parking lots reduce the ability of the land to absorb storm flows. Additionally, the water runs off the land at an increased rate. The impact of this often results in flooding, changes to adjacent watercourses such as erosion of banks, and potential pollution. This impacts the quality of surface water as well as the natural environment. The Town will apply best management practices in dealing with stormwater management.

The following will be the policy of the Town:

- a) Prior to development approval of subdivisions or applications involving significant lot creation and/or development, the Town will require the preparation and approval of

a stormwater management plan, which either implements the management concept of the Subwatershed Study (Section 5.1), if prepared, or is acceptable to the Town, relevant Conservation Authority and the Ministry of the Environment, and is completed in accordance with guidelines of the appropriate Conservation Authority and the current Ministry of the Environment Stormwater Planning and Design Manual. A stormwater management plan will be required to ensure that runoff is controlled such that development does not increase peak flows from a quantity perspective and that potential pollution is reasonably mitigated, typically on site, to address potential adverse impacts downstream from a quality perspective. This is to prevent the accelerated enrichment of watercourses from pollutants. Pre-submission consultation with the relevant Conservation Authority on measures of stormwater management works pursuant to MOE Guidelines is encouraged.

- b) It is the preference of the Town that all stormwater related to new development will be managed by regional facilities, where feasible. No new development will have a negative impact on the drainage characteristics of adjacent land.
- c) Stormwater management facilities will be designed to manage stormwater quality and quantity, at an appropriate level, as defined by the most current Ministry of Environment Stormwater Planning and Design Manual, in consultation with the appropriate Conservation Authority, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities will be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged.
- d) In Urban Areas and Employment Areas it may be necessary for some storm sewer oversizing and deepening to occur. The design and construction of all storm sewers and improvements to natural watercourses shall have sufficient capacity to serve all areas which ultimately may be connected to sewers or open watercourses. Modifications to existing natural watercourses will only be undertaken where natural features can be integrated with the optimal design ensuring quality and quantity impacts are mitigated. In reviewing individual development applications, the Town will, where applicable, require developers to utilize appropriate stormwater management techniques to minimize erosion and siltation of watercourses and open drains and to not adversely affect upstream or downstream property owners.
- e) The Town will encourage the preparation of stormwater management plans on a watershed or subwatershed basis.
- f) Prior to development approval, the development proponent will consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses.
- g) Prior to development approval, the proponent will provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used to form part of a natural trail or open

space system. Roads and sidewalks within the study area will be required to provide access to these natural areas. The use of dry ponds which can be located adjacent to parkland for the purpose of maximizing the space available for public use is encouraged. Wet ponds are encouraged to be incorporated into subdivision design as aesthetic features of the community.

- h) In order to ensure that the size, configuration and grade of the land surrounding the facility can be efficiently programmed as a component of a trail or open space system, it may be necessary to prepare a landscape design prior to development approval.
- i) It is the position of the municipality that the areas required for stormwater management will not be considered toward the parkland dedication. However, the development of these areas into parkland facilities, such as the provision of asphalt paths, may be considered as an alternative to a portion of cash-in-lieu of parkland contribution. The provision of additional land to facilitate the use of these areas as parkland may also be considered.
- j) The Town will ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements.
- k) The Ministry of Transportation will be consulted in relation to stormwater management plans and facilities in proximity to Provincial Highways.
- l) The Town will own, operate and maintain all stormwater management facilities.
- m) The Town will incorporate stormwater management requirements as a component of the development approvals process.

7.4 Waste Management

Certain municipal resources are required to manage the solid waste generated by residences and businesses in the Town. Reducing the volume of solid waste through a diversion program will help to ensure a sustainable natural environment and municipal sustainability. The Town of Lakeshore will effectively and efficiently manage the solid waste generated within the Town.

The following will be the policy of the Town:

- a) Waste management will include waste diversion (composting and recycling), waste disposal and waste as a potential resource. The Town recognizes and supports the Provincial initiative of reducing waste through a diversion action plan, and may initiate its own diversion plan.
- b) A recycling collection box system or equivalent will be available throughout the Town.
- c) Residential composting will be encouraged.
- d) The Town will co-operate with all levels of government and other agencies in promoting public awareness of waste issues and in promoting waste diversion strategies as well as other alternative waste management techniques.
- e) The collection of household hazardous wastes will be accommodated by maintaining hazardous waste drop-off locations at the Town's waste transfer facilities.
- f) Wherever possible, methane or other greenhouse gas emissions from waste management operations will be captured and used as an alternative energy source.
- g) Given the potential impacts, in areas subject to the Waste Management policies, only land uses compatible with waste disposal sites and the associated engineered controls will be permitted.

7.5 Utilities & Telecommunications

The continual advancement of telecommunications technology, coupled with the need for rapid information transfer, will have a significant impact on the future development and economic vitality of the Town.

The following will be the policy of the Town:

- a) The Town will facilitate the coordination between growth management and the maintenance and expansion of the telecommunication sector, both in terms of technological advancement and service provision.
- b) Through the Town's planning activities, existing communication and transmission corridors and networks will be protected and enhanced.
- c) The Town will support the service providers and business community in the establishment of a modern telecommunications network.
- d) The Town will work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community.
- e) The Town will promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses. Additionally, the Town will support the use of corridors for transportation and trail uses.
- f) The Town will implement the policies of this Plan by cooperating with both private and public telecommunication companies and utilities responsible for the regulation, transmission and delivery of telecommunication and utility services within the Town in planning the future development and staging of networks.
- g) Public and private utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances or within appropriate easements.
- h) The Town will ensure that adequate utility networks, are or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient.
- i) The Town will promote all utilities and telecommunications, to be planned for and installed on a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption.
- j) The Town will ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its environment.

- k) The Town will support the coordinated planning and installation of utilities in initial common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights-of-way.
- l) The Town will plan for utilities and telecommunications infrastructure in all stages of planning for growth, including Official Plan and Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Approvals.
- m) The Town will confirm that utility and telecommunication providers are all able to provide services to support the proposed development and that appropriate locations for large utility equipment and utility cluster sites have been determined.
- n) The Town will promote and encourage innovative telecommunications systems in the Town.

7.6 Capital & Public Works

The extension or construction of capital or public works will be carried out in accordance with the policies of this Plan. Council will prepare annually and adopt without amendment to this Plan, a five year capital works program in accordance with the policies of this Plan. This program will be cognizant of changing conditions of supply and demand for services, and significant changes in economics and technology.

Public buildings, structures, infrastructure, easements or rights-of-way may be considered within any designated area if suitable buffering and screening from adjacent uses are provided.

8.0 IMPLEMENTING & MONITORING THE PLAN

This Official Plan will be implemented by means of the powers conferred upon the Town by the *Planning Act*, the *Municipal Act* and other statutes as may be applicable. In particular, the Official Plan will be implemented by the enactment of zoning by-laws, property standards and occupancy by-laws, the planning tools available to the Town, development control under the *Planning Act*, and the undertaking of public works.

8.1 The Planning Period

This Plan is based on a 20-year planning horizon to the year 2031, which principally relates to the population and employment projections and designated land supply. The effect of most of the land use policy will have implications well beyond the 20-year timeframe and will accordingly represent a long-term or permanent commitment.

Policies protecting Natural Heritage Features and resources require an indefinite timeframe to be effective. Buildings, water and sewer servicing, and other similar facilities also have a relatively long life span, and therefore require a long-term commitment beyond the scope of a 20-year planning horizon.

As a result, the growth management framework of this Plan integrates land use planning decisions with the provision and investment in community infrastructure consistent with the Town's Master Plan studies and initiatives.

8.2 Official Plan Monitoring & Review

Changing conditions may necessitate amendments to this Plan. The policies are based on the vision and strategic goals and objectives developed through the extensive public consultation undertaken during the preparation of this Official Plan. Furthermore, the policies of the Plan are based on a set of assumptions and a regulatory environment that are subject to change over time. Therefore, Plan monitoring and review is required to identify trends in planning issues in the Town, to analyze the effectiveness of the policies of the Plan, and to allow for adjustments and updating.

The following will be the policy of the Town:

- a) As provided for in the *Planning Act*, the Town will provide the opportunity for interested citizens and organizations to present submissions on the Plan no less than every five years after the Plan comes into effect. Through this process, the Town will determine the need to amend the Plan to ensure that the policies remain realistic and appropriate with regard to changing social, economic and environmental circumstances, conforms or does not conflict with provincial plans, has regard to matters of provincial interest and is consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*.
- b) The Town will continue to monitor annually the supply of designated and available Employment Area lands to ensure a sufficient supply in accordance with Section 3.3.2.
- c) Monitoring of specific policies is prescribed in the policies of the Plan, and will be undertaken in accordance with those policies.
- d) The Town will continue to develop and maintain a Town geographic information system for planning and management purposes, and provide updated mapping information, statistics, forecasts and analyses related to planning issues and Plan policies.
- e) In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario, the County of Essex, or other planning initiatives, the Town may initiate an amendment process at any time.
- f) Where judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the Town's interpretation or intent in the policies of this Plan, Council may choose to initiate a review of any or all of the policies at any time.
- g) Additional monitoring of this Official Plan and the monitoring of sewer and water servicing capacity in the Settlement Areas may be included in:
 - i) quarterly briefings or status reports;
 - ii) annual reports, such as reports prepared for capital and/or operational budgeting purposes; and

- iii) Provincial performance measures reporting.
- h) It is recognized that the County's five-year Official Plan review was ongoing at the time of approval of this Plan. Following the approval of the County Official Plan, and at the time of a five-year review of this Plan, or through the preparation of Secondary Plans that provide more detailed development policies for a particular Special Planning Area, the Town will undertake a review of its Settlement Area boundaries and phasing policies to ensure an appropriate amount of designated residential and employment lands are available within the Town.

8.2.1 Amendments to the Plan

The Town will consider all complete applications to amend this Official Plan, and will notify the public, County of Essex, various Provincial Ministries and other agencies in accordance with the requirements of the *Planning Act*.

The following will be the policy of the Town:

- a) Applications to amend this Plan will include a planning rationale report for the proposed change, prepared by the proponent. This will include, but not be limited to, information regarding the proposed use, servicing, density if applicable, floor area if applicable, lot layout, site plans as appropriate and applicable, and the criteria outlined in Section 8.2.1 (c) of this Plan. The Town, may waive the requirement for a planning rationale report for minor and/or site specific amendments.
- b) Any specific Official Plan amendment procedures and supporting information requirements as outlined in the policies of this Plan will apply in the consideration of the application and the completeness of the application, in accordance with the requirements of the *Planning Act*.
- c) The Town will consider the following criteria when reviewing applications to amend this Plan:
 - i) the manner in which the proposed amendment is consistent with Provincial Policy issued under the *Planning Act*, and prevailing Provincial policy and regulations, the County of Essex Official Plan, and the policies of this Plan;
 - ii) the impacts of the proposed amendment on the provision of and demand for municipal services, infrastructure and facilities;
 - iii) the adequacy of the proposed servicing solution with respect to the servicing policies of this Plan;
 - iv) the impact of the proposed amendment on surrounding land uses, the transportation system, municipal services and community amenities and services;
 - v) the impact of the proposed amendment on cultural and/or Natural Heritage Features;
 - vi) the impact on agricultural uses and land;

- vii) the impact of the proposed amendment on the financial sustainability of the Town; and
- viii) any other information determined by the Town, in consultation with the appropriate agencies, to be relevant and applicable.

8.3 Planning Administration

8.3.1 Secondary Plans

The following sections outline the requirements for the preparation of a Secondary Plan, including the contents of the Secondary Plan and the supporting study requirements.

8.3.1.1 Secondary Plan Preparation

Secondary Plans may be prepared to plan for growth and development on large areas of land within the Town or existing portions of the Town that require special land use policies. Should lands for growth and development be identified that are beyond the existing Settlement Area boundaries as a result of subsequent reviews of this Plan, a Secondary Plan will be required prior to development.

The following policies will apply to the preparation of secondary plans:

- a) The Town may choose to undertake a Special Planning Study or Secondary Plan for lands not identified as a Special Planning Area on Schedule "A".
- b) When undertaking a Special Planning Study or Secondary Plan for a Special Planning Area, the boundaries of the Special Planning Area as shown on Schedule "A" may be reviewed and modified without amendment to this Plan.
- c) The establishment of a Special Planning Area will account for any existing uses within the area.
- d) The establishment of a Special Planning Area or the preparation of a Secondary Plan will be approved by resolution of Town Council.
- e) Secondary Plans may be used to establish unique or more detailed land use policies or land use designations than that of this Plan and will establish the location of key community services and amenities including schools, parks and open space and related uses.
- f) Secondary Plans will be adopted as amendments to this Plan and read in conjunction with this Plan in its entirety. The Goals, Objectives and policies of this Plan will be maintained in the Secondary Plan. Any specific policy guidance resulting from the preparation of a Secondary Plan will be included within Section 3.4 of this Plan and the relevant schedules to this Plan will be amended or new schedules may be added.
- g) The costs of preparing a Secondary Plan will be borne by the affected landowners, and not the Town. Should Council direct that a Secondary Plan be undertaken for an area that requires special land use policies, the Town may either share in the costs of preparing the Secondary Plan, or choose to assume the costs without landowner participation.

- h) A Secondary Plan may be undertaken simultaneously with an undertaking under the *Environmental Assessment Act* to satisfy the Environmental Assessment requirements in a comprehensive and integrated process.

8.3.1.2 Secondary Plan Contents

Secondary Plans will generally include the following:

- a) A statement of the basis or rationale for the preparation of the Secondary Plan;
- b) A description of the area under study and the role and relationship of the area to the Town as a whole;
- c) A description of the current land use, ownership, built and natural environment, and infrastructure in the area;
- d) A statement of the desired land use arrangement for the area;
- e) Goals and objectives appropriate for the area including a statement of how they are in keeping with the Goals and Objectives of this Plan;
- f) Concept plan(s) showing, where appropriate, the following:
 - i) land use designations of the desired type and pattern of development with due consideration to the community design policies of this Plan;
 - ii) the nature and location of public facilities;
 - iii) the desired transportation network for the area and its links to the existing transportation network of the Town;
 - iv) the nature and location of municipal services including but not limited to sanitary sewage, stormwater management and potable water facilities;
 - v) the identification, protection and integration of significant cultural, built and Natural Heritage Features; and
 - vi) the phasing of development and infrastructure;
- g) Specific policies and strategies for achieving the goals and objectives established for the area that complement the policies of this Plan; and
- h) Implementation measures to ensure the orderly delivery of the planned development.

8.3.1.3 Secondary Plan Supporting Requirements

The Town, in order to provide the appropriate background information for the Secondary Plan, may require the undertaking of a number of background reports at the Town's sole discretion. These reports may include, but will not be limited to:

- a) An environmental impact assessment to determine environmental protection and natural heritage areas;
- b) A master servicing plan;
- c) A stormwater management study;
- d) A traffic impact analysis;
- e) An urban design study;
- f) A parks and open space study;
- g) A community services and facilities study;
- h) A cultural heritage and archaeological resource study;
- i) An agricultural impact assessment; and
- j) A planning rationale report. The planning rationale report will address the following:
 - i) The integration of proposed new development with the existing development;
 - ii) The distribution of proposed land uses;
 - i) The range of housing styles and densities;
 - ii) Neighbourhood commercial uses to service the residential and employment areas;
 - iii) Linkages between the residential and employment areas, parks, schools, recreational areas and institutional facilities; and
 - iv) The impact on adjacent agricultural operations, including consideration of Minimum Distance Separation Formulae.

The requirements of Subsections (a) through (g) may be embodied in an integrated and comprehensive study known as a Master Environmental Servicing Plan (MESP).

8.3.2 Zoning By-law

The Town will prepare, and Council will adopt, a Comprehensive Zoning By-law that will be in conformity with the principles, policies and land use designations contained in this Plan. The By-law will include adequate development standards consistent with the policies of this Plan. The By-law will establish specific zones and permitted uses that reflect the policies and land use designations of this Plan and may regulate minimum and maximum height and density requirements. Within each land use designation, more than one zone may be established to ensure that the policies of this Plan are properly implemented. It is not the intent of this Plan to necessarily zone all land for uses designated in this Plan. Existing uses may be recognized in the implementing Zoning By-law, notwithstanding the policies of this Plan.

The Town will consider all applications to amend the Zoning By-law and will provide notice of such application in accordance with the provisions of the *Planning Act*.

8.3.2.1 Holding Zones

Holding zones may be incorporated into the Town's Zoning By-law in order to achieve orderly development and ensure that policies established in this Plan have been met. The Town may place a holding symbol on the zone that prevents development from occurring until the Town is satisfied that certain conditions have been met, allowing the Town to indicate support for the development in principle, while identifying the need for additional actions prior to development proceeding. Specific actions or requirements for the lifting of the holding provision will be set out in the Town's Zoning By-law or the amendment thereto. Once the required conditions are met, a by-law removing the holding symbol will be passed.

These actions or requirements include, but are not necessarily limited to, the following:

- a) The timing of the provision of municipal services;
- b) The phasing and logical progression of development;
- c) The provision of adequate service or road infrastructure and works;
- d) The completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the Town;
- e) The completion of the appropriate supporting study(ies) to the satisfaction of the Town, in consultation with other agencies, as required;
- f) Confirmation that the requisite permits and approvals from external authorities have been received;
- g) The completion of a development or the subdivision of land, including the negotiation of a development or subdivision agreement;
- h) That site plan approval has been granted by the Town, and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*;
- i) That the specific policies of this Plan have been complied with; and/or
- j) Additional actions or requirements may be identified in the Official Plan through a site-specific or general amendment, at the discretion of the Town.

8.3.2.2 Temporary Use By-laws

The Town may pass a temporary use by-law to allow the temporary use of land, buildings or structures for a purpose otherwise not permitted by the Zoning By-law for a specific period of

time not to exceed three years. A temporary use by-law will define the land to which it applies, and will prescribe the period of time during which it is in effect. The Town may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by Council to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation are not practical. Council may pass subsequent by-laws granting extensions of up to three years. Council may extend this period by passing further by-laws, subject to the specific policies of this Plan.

In enacting a temporary use by-law, the Town will consider the following:

- a) the proposed use will be of a temporary nature, and will not entail major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions;
- b) the compatibility of the proposed use with the surrounding land uses and character of the surrounding area;
- c) the proposed use will be properly serviced and not require the extension or expansion of existing municipal services;
- d) the proposed use will not create any traffic problems within the surrounding area, or adversely affect the volume and/or type of traffic commonly found on the areas roads;
- e) parking facilities will be provided entirely on-site;
- f) the proposed use will generally be beneficial to the surrounding community; and
- g) the conformity of the proposed temporary use with the policies of this Plan. Where the proposed temporary use may not conform in its entirety with the Official Plan, the Town will consider what is in the best interests of the public.

8.3.2.3 Interim Control By-laws

The Town may establish interim control by-laws in accordance with the relevant sections of the *Planning Act*, in order to control the use of land, buildings or structures within specifically identified areas for a specified period of time not exceeding one year, plus a permissible one year extension in length.

8.3.2.4 Bonus/Density Increases

In accordance with the *Planning Act*, the Town may pass, at its sole discretion, a site-specific Zoning By-law amendment to authorize increases in the height and density of development above what is permitted in the Zoning By-law, in return for the following:

- a) The provision of affordable or rental housing;

- b) The preservation of built or cultural heritage features;
- c) The provision of sustainable design features;
- d) The protection and/or enhancement of Natural Heritage Features;
- e) Parkland greater than that required by this Plan;
- f) The provision of community centres, day care facilities or other public service facility;
- g) The provision of urban spaces or private development sites in the Primary Nodes or Mixed Use Nodes;
- h) Public art; and/or
- i) Development charge credits, subject to the Development Charge By-law.

8.3.3 Draft Plan Approval (Subdivisions and Condominium)

Applications for approval of a draft plan of subdivision or condominium will be considered on the basis of the underlying land use designation and the associated policies of this Plan. While the County and the Town will deal with all applications for draft plan approval in accordance with the relevant provisions of the *Planning Act*, applications that do not conform to the policies of this Plan will not be approved.

The following policies will apply to plans of applications for approval of a draft plan of subdivision or condominium subdivision:

- a) The provisions of the *Planning Act* relating to subdivision control, including subdivision agreements and part-lot control, will be used by Council to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.
- b) Prior to approval of an application for plan of subdivision or plan of condominium, the Town will confirm the availability of adequate servicing infrastructure and allocation in accordance with Section 7.3.3, waste collection and disposal services, and roads, pedestrian pathways and public transit right-of-ways in accordance with Section 7.2
- c) Applications for plan of subdivision or plan of condominium approval will be considered premature if appropriate services and servicing capacity is not available. Additionally, Council may consider other criteria as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.
- d) The review of plans of subdivision or plan of condominium will be based in part on the consideration of the community design policies included in Section 4.2.1 of this Plan.

- e) All lots within a plan of subdivision will have frontage on a public road maintained on a year round basis, constructed to an acceptable Town standard. Plans of condominium will have access to a public road maintained on a year round basis, however, it is recognized that development within the condominium plan may occur on private roads.
- f) Natural Heritage Features and functions will be protected and preserved in the design of any plan of subdivision or condominium. The Town will explore opportunities to implement the policies of Section 5.2.4 relating to the establishment of Natural Heritage linkages. The Town may require the dedication of lands that it determines to be part of the natural heritage system as part of the conditions of approval.
- g) Plans of subdivision or condominium will be appropriately phased to ensure orderly and staged development.
- h) All plans of subdivision will be subject to a subdivision agreement between the Town and the development proponent.
- i) All plans of condominium will be subject to a development agreement between the Town and the development proponent.
- j) Parkland dedication will be provided pursuant to Section 4.3.3.3 of this Plan. Land to be dedicated for park purposes must be acceptable to the Town. Under no circumstances will the Town be obligated to accept parklands being offered in a proposed plan of subdivision.
- k) The Town will consult with the appropriate Conservation Authority and the Province, as well as other relevant agencies, in considering an application for approval of a plan of subdivision or condominium.
- l) In recommending approval to a draft plan of subdivision, the Town may request that the approval lapses at the expiration of a specified time period, being not less than 3 years. The County, in consultation with the Town may extend the approval time period, prior to its expiration.
- m) The Town may request that the County, withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before the final approval of the plan of subdivision.
- n) The Town may consider passing a By-law under the provisions of the *Planning Act* deeming old registered, undeveloped plans which are inadequate due to matters such as lot size, unsuitable access or undesirable location, not to be registered.
- o) The Town will consider the policies of this Plan in totality to determine the information required by an applicant to form a complete application for approval of a plan of subdivision.

8.3.4 Site Plan Control

The Town will use site plan control as provided for in the *Planning Act*. The following policies will apply to site plan control:

- a) Subject to the policies of this Plan, the site plan control area will apply to the entire Town.
- b) Where development consists of single detached, duplexes or semi-detached dwellings, site plan control will not apply, except in cases where specifically required by this Plan, such as in cases where development is proposed on identified Hazard Land areas.
- c) Where development consists of farm operations, farm buildings and the residence of the farm operator, site plan control will not apply, except in cases where specifically required by this Plan, such as where an on-farm secondary business is proposed.
- d) The Town may require proponents to execute a site plan agreement under circumstances where there is construction of more than one building or structure, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the development of a parking lot, and/or in other circumstances deemed appropriate by the Town.
- e) The Town will consult the appropriate Conservation Authority and any other relevant agency when considering applications for site plan approval, where applicable.
- f) The Town may require consultation with neighbouring landowners or a public meeting, when considering applications for site plan approval, where applicable.
- g) The Town may apply certain conditions to site plan approval, and may require that a certain standard of design be applied.
- h) The Town will require financial security through bonding letters of credit or other financial arrangement prior to development.

8.3.5 Committee of Adjustment

8.3.5.1 Minor Variances

The Committee of Adjustment will deal with all applications for minor variances to the provisions of the Zoning By-law and other by-laws, as delegated by Council. The Committee of Adjustment will deal with such applications in accordance with the relevant provisions of the *Planning Act*. The decisions of the Committee of Adjustment will also comply with the general intent of this Plan and the Zoning By-law.

8.3.5.2 Consents

Applications for consent to sever land will be considered on the basis of the policies of this Section, the underlying land use designation, and the associated policies of this Plan. The Committee of Adjustment will deal with all applications for consent in accordance with the relevant provisions of the *Planning Act*. The decisions of the Committee of Adjustment will also be consistent with prevailing Provincial policy.

In addition to the specific land division and consent policies associated with the underlying land use designation, the following policies will apply to applications for consent:

- a) A consent should only be considered where a plan of subdivision is deemed to be unnecessary, and the consent will not result in the creation of four or more new lots, and where the application conforms with the policies of this Official Plan.
- b) Notwithstanding any other provisions of this Official Plan, a consent for technical or legal purposes may be permitted where a separate lot is not being created (such as a boundary adjustment, easement or right-of-way). The lots that are the subject of that type of application and any retained lands will comply with the Zoning By-law, or the By-law will be amended or a minor variance granted as a condition of the consent.
- c) The following general policies will be utilized for evaluating consent applications in all designations of this Official Plan, in addition to other provisions of this Plan, which may be applicable to a particular application.
 - i) Road Access
 - The lot to be retained and the lot to be severed will have frontage on and access to an open, improved public road which is maintained on a year-round basis.
 - Lots will not be created which would access onto a road where a traffic hazard would be created due to limited sight lines on curves or grades.
 - Lots with direct access from a Provincial Highway will only be permitted where the Ministry of Transportation advises that an entrance permit will be issued.
 - Any required road widenings, improvements or extensions to existing rights-of-way may be required as a condition of severance approval.
 - ii) Lot Size
 - The lot area and frontage of both the lot to be retained and the lot to be severed will be adequate for existing and proposed uses and will allow for the development of a use which is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering.
 - The proposed lots will comply with the provisions of the Zoning By-law. Where it is not possible to meet the standards of the Zoning By-law, the Town may amend the standards in the By-law or a minor variance may be

granted as a condition of approval, where that action is considered appropriate.

- iii) Proper Development of Adjacent Lands
 - The proposed lot(s) will not restrict the development of other parcels of land, particularly the provision of access to allow the development of remnant parcels in the interior of a block of land.
 - Compliance with the Minimum Distance Separation Formulae will be required.
 - iv) Water and Sanitary Sewage Services
 - The size of any parcel of land created by consent should be appropriate for the use proposed, considering the level of services available, the soil conditions, and other factors. No parcel will be created that does not conform to the provisions of the Zoning By-law, except where a minor variance has been secured in accordance with the policies of this Plan.
 - A hydrogeological study to confirm the adequacy of soil conditions, hydrogeological suitability, and suitability for potential future private services may be required.
 - v) Parkland Dedication
 - Where a consent is approved, the parkland dedication policies of Section 4.3.3.3 will apply.
- d) The Town may require the following conditions of approval of a consent application for the severed lot and/or retained lot where such a condition is appropriate:
- i) payment of taxes;
 - ii) payment of development charges;
 - iii) payment of drainage and local improvement charges;
 - iv) provisions for connection to the municipal water or sanitary sewage systems;
 - v) provisions for stormwater management;
 - vi) road dedications and improvements;
 - vii) parkland dedications or payment-in-lieu;
 - viii) approval of Zoning By-law amendment;
 - ix) approval of a Site Plan; and
 - x) other technical matters deemed appropriate by the Town under the specific circumstances of the Consent.
- e) Consents for building purposes will not be permitted under the following circumstances:
- i) the land is located within any Natural Heritage Features, and a suitable building site cannot be found through the evaluation completed in an Environment Impact Study;
 - ii) the land is located in a floodway;

- iii) the land is located on or within 300 metres of an area, or 75 metres of mineral or petroleum resource deposits or an active petroleum well, as identified by the Province;
- iv) Provincial, County or Town transportation objectives, standards or policies cannot be maintained; or
- v) the created and retained parcels cannot be provided with an adequate level of service.

8.3.6 Existing Uses

Certain lands within the Town have been developed for a use other than that which is permitted by the designations and policies of this Plan.

The following will be the policy of the Town:

- a) Nothing in this Plan will affect the continuance of uses legally existing on the date this Plan was adopted by Council.
- b) The Town may recognize the existing use of land in the implementing Zoning By-law. However, Council in co-operation with residents will attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies of this Plan.
- c) Within the Urban Areas, Hamlet Areas and Waterfront Areas, all undeveloped parcels may be maintained in an agricultural zone in the Zoning By-law, subject to criteria.
- d) An application for the enlargement or extension of an existing use will be judged as follows:
 - i) the proposed expansion does not significantly increase the size of the existing use;
 - ii) the proposed expansion does not require an adjustment to the boundary between two areas of different land use;
 - iii) the proposed expansion does not increase its incompatibility with the surrounding area;
 - iv) conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
 - v) factors such as traffic safety, parking, loading, and municipal services are not adversely affected.
- e) Existing uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not significantly increased.
- f) Existing uses which may still be in operation or may have ceased to exist leaving substantial vacant buildings, most commonly commercial or industrial in nature (both those with legally existing uses and those with vacant buildings) may be zoned in the

zoning by-law to permit the existing uses, if there is one, or the previous use if the buildings are presently vacant provided:

- i) the buildings lawfully existed prior to the date of adoption of this Plan;
- ii) it is not the intention of the Town that the use cease to exist in time;
- iii) the use to be permitted does not interfere with the desirable development or enjoyment of neighbouring properties;
- iv) the use does not constitute a danger to surrounding uses and persons because of its hazardous nature or traffic generated; and
- v) the by-law reasonably limits the amount of expansion that is to be permitted to ensure that the use does not become larger than would be appropriate for the area.

Applications to amend the Zoning By-law to permit a use that is as, or more compatible with the surrounding area may also be approved by the Town without an amendment to this Plan provided the proposed use satisfies the above criteria.

Also, there are a number of parcels with current zoning that is not in conformity with this Plan. The current zoning can be carried forward in the Zoning By-law without requiring an amendment to this Plan.

8.3.7 Non-Conforming Uses

The Town recognizes that some existing uses will not be consistent with all of the policies of this Plan. Notwithstanding the policies of this Plan to the contrary, such uses may be permitted in the Zoning By-law in accordance with the legally existing standards on the date of adoption of this Plan.

- a) To recognize such uses, the Town may also develop suitable zone categories with appropriate standards in the Zoning By-law, provided that:
 - i) The specific zone category will not permit a change of use that would aggravate any situation detrimental to adjacent uses;
 - ii) The use or uses permitted will not constitute a danger to surrounding uses and persons by creating any hazardous situations;
 - iii) The use or uses do not interfere with the desirable development of adjacent areas; and
 - iv) Minor adjustments to the boundaries of sites, or minor extensions of sites containing non-conforming uses that are recognized in the Zoning By-law will be deemed to conform to this Plan.
- b) An application for the enlargement or extension of a legal non-conforming use will be judged as follows:
 - i) the proposed expansion does not significantly increase the size of the non-conforming use;

- ii) the proposed expansion does not require an adjustment to the boundary between two areas of different land use;
 - iii) the proposed expansion does not increase its incompatibility with the surrounding area;
 - iv) conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
 - v) factors such as traffic safety, parking, loading, and municipal services are not adversely affected.
- c) Legal non-conforming uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not significantly increased.

8.3.8 Non-Complying Uses

Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use will be considered to be legal non-complying. Applications for the expansion, alteration or addition of the non-complying use will be considered by way of Zoning By-law amendment or minor variance, depending on the nature of the proposal.

8.3.9 Land Acquisition

The Town may acquire land to implement any element of this Plan in accordance with the provisions of the *Municipal Act*, the *Planning Act*, or any other Act. Municipal land assembly will be permitted for residential, commercial, industrial, institutional, natural heritage function or open space uses, provided such activity complies with the policies of this Plan.

- a) The Town will consider all options for the acquisition of land, including:
- i) dedication;
 - ii) donations;
 - iii) assistance from other levels of government, agencies and charitable foundations;
 - iv) the bonusing provisions of the *Planning Act*, subject to the other relevant policies of this Plan;
 - v) density transfers;
 - vi) land exchange;
 - vii) long-term lease;
 - viii) easement agreements;
 - ix) purchase agreements;
 - x) partnerships;
 - xi) land trusts;
 - xii) placing conditions on development approval; and
 - xiii) expropriation;

- b) Where park and open space dedicated lands are insufficient in size or shape for the intended uses and needs, in accordance with Section 4.3.3, the Town will consider acquisition of additional lands for park and open space purposes.
- c) Notwithstanding the above, the Town will not be obligated to acquire or purchase any land, save and except for where specifically required to do so in order to obtain necessary Federal and/or Provincial statutory approvals.

8.3.10 Property Standards

Council may enact by-laws pursuant to the *Ontario Building Code Act*, setting out minimum standards for the maintenance and occupancy of all buildings and properties. Any such by-law will apply to part of the Town, or throughout the Town. These by-laws should have regard for any or all of the following matters or related items and set appropriate standards or conditions for:

- a) The physical conditions of vacant land, yards and passageways including the accumulation of debris and rubbish;
- b) The adequacy of sanitation including drainage, waste disposal, garbage and pest control;
- c) The physical condition of accessory buildings; and
- d) The physical conditions of dwellings or dwelling units, institutional, commercial and/or industrial buildings, structures and properties.

Any such by-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of a substandard property and require the demolition and clearing of such property which the owner does not intend to repair and maintain.

Upon passing a Property Standards By-law, the Town will appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law. Council may also appoint a Property Standards Committee for the purpose of hearing appeals against any order issued by the Property Standards Officer.

8.3.11 Supporting Studies, Information and Materials

Certain supporting studies, information and materials will be required as part of a development approval process or as part of a detailed planning study as identified throughout this Plan. The need and timing of such supporting studies, information and materials will be determined by the Town on a site-specific basis in consideration of the site's land use context and regard to the policies of this Plan.

- a) Applicants seeking development approval will be advised of the required supporting studies, information and materials as part of the pre-application

consultation process or, if subsequently deemed necessary, prior to scheduling a prescribed public meeting.

- b) At the time of application for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Minor Variance, or Consent, the Town may require an applicant to submit any of the following information, as applicable:

- i) Deed and/or Offer of Purchase
- ii) Topographic Plan of Survey
- iii) Site Plan (Conceptual)
- iv) Floor Plan and/or Elevations
- v) Record of Site Condition (RSC)
- vi) Functional Servicing Report
- vii) Approved Class Environmental Assessment
- viii) Geotechnical Study
- ix) Tree Survey
- x) Draft Plan of Subdivision
- xi) Condominium Description
- xii) Other materials relevant to the development and lands impacted by the proposed development approval application.

- c) During the pre-application consultation process for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, or Consent application, the Town may require the applicant to submit any of the following supporting studies at the time of the application, in accordance with the policies outlined in this Plan and/or accepted professional standards and/or guidelines as applicable:

- i) Retail Market Impact Study – Section 4.4.3.1
- ii) Urban Design Study – Section 4.2.1
- iii) Archaeological Assessment – Section 4.2.3.4
- iv) Hydrogeological Study – Section 5.1
- v) Groundwater Impact Assessment – Section 5.1.1
- vi) Environmental Impact Assessment (EIA) – Section 5.2.6
- vii) Record of Site Condition (RSC) – Section 5.4.2.1.1
- viii) Phase I Environmental Site Assessment (ESA) – Section 5.4.2.1.1
- ix) Site Screening Questionnaire, where a Phase 1 Environmental Site Assessment is not required
- x) Noise and/or Vibration Study – Section 5.4.2.3
- xi) Transportation Impact Study – Section 7.2.2
- xii) Parking Study – Section 7.2.2.2
- xiii) Functional Servicing Report – Sections 7.3.1.1 or 7.3.1.2
- xiv) Stormwater Management Plan – Sections 7.3.3 and 5.1
- xv) Planning Rationale Report – Section 8.2.1 a) and 8.3.1.3 j)
- xvi) Master Environmental Servicing Plan (MESP) – Section 8.3.1.3

- xvii) Agricultural Impact Assessment
 - xviii) Built Heritage Impact Study
 - xix) Lighting Study
 - xx) Other studies relevant to the development and lands impacted by the proposed development approval application.
- d) Support Studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications will be advised by the Town of the required supporting study contents during the pre-application consultation process.
- e) When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application will not be considered complete for processing purposes until the required supporting studies, information and materials is prepared and submitted to the satisfaction of the Town and/or appropriate Conservation Authority. Notification of a complete application will be given to the applicant and all other parties by the Town in accordance with the *Planning Act*.
- f) The Town will ensure that supporting studies, information and materials provided by an applicant of a development approval application that has submitted a complete application for development approval will be made available to the public for review.

8.4 Public Consultation & Participation

The public actively participated in the development of this Plan. The Town will take steps to ensure the continuation of a public consultation program, to actively involve the public in the monitoring of this Plan, and to ensure that alternative means to resolve planning disputes and objections are pursued.

The following will be the policy of the Town:

- a) The Town will provide the opportunity for residents and property owners to become involved and participate in the planning process related to the implementation of this Plan in accordance with the policies of this Plan and the requirements of the *Planning Act*. The following policies will apply to public consultation and participation:
 - i) the Town will use a variety of techniques to encourage the participation of the public when changes to this Plan are being considered. Subject to the requirements of the *Planning Act*, the Town may establish the public consultation program it feels will best deal with the matters before it.
 - ii) the Town will provide notification of any amendment to this Plan in accordance with the requirements of the *Planning Act*, and may consider additional notice to ensure that the potentially affected residents in the Town are aware of the amendment.
 - iii) the Town will encourage a pre-submission consultation on privately-initiated applications processed under the *Planning Act*.
 - iv) Council recognizes that the provisions of the *Planning Act* require it to take action on a development application within a prescribed period of time, subject to the application being complete and the provision of adequate information regarding the proposal being available to the public and Council so that informed decisions can be made.
 - v) the Town will encourage participation in the Essex Region trails planning initiative.
 - vi) the Town will encourage participation in the County tourism marketing strategy.

- b) The Town will actively seek the views and participation of the public prior to making any decisions regarding amendments to this Plan or the Zoning By-law. In each case involving such planning matters, at least one public meeting will be called and the public will be encouraged to offer their opinions and suggestions. Calling and holding public meetings on planning matters will be the responsibility of the Council or, in cases where Council has delegated the responsibility, a formal Committee of Council.

8.5 Cross-Jurisdictional Coordination

The Town will support cross-jurisdictional coordination and will work with the Province, County of Essex, adjacent municipalities, the Essex Region Conservation Authority and the Lower Thames Region Conservation Authority, and other agencies.

The following will be the policy of the Town:

- a) The Town will ensure that a coordinated, integrated and comprehensive approach is used when dealing with planning matters that transcend municipalities, single and/or upper-tier municipal boundaries, and jurisdictions including:
 - i) managing and/or promoting growth and development;
 - ii) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - iii) managing infrastructure, transportation, public service facilities and waste management systems;
 - iv) managing ecosystem, shoreline and watershed related issues; and
 - v) managing natural and human-made hazards.

- b) Throughout its planning activities and administration, the Town will encourage and assist the County of Essex in identifying, coordinating and allocating appropriate population, housing and employment forecasts and allocations for the Town of Lakeshore, including:
 - i) areas where growth will be directed, including the identification of nodes and the corridors linking these nodes;
 - ii) targets for intensification and redevelopment within the Town; and
 - iii) the completion of an appropriate County-wide growth forecast through the County's five-year Official Plan review. The Town will work with the County and the other local municipalities to ensure appropriate growth projection allocation to the Town of Lakeshore.

- c) The Town will work with the County of Essex and neighbouring municipality to ensure the development of County Road 22 Mixed Use Corridor as a mixed use transit supportive corridor. The Town will work in cooperation with neighbouring municipalities and transit providers to provide a viable transit service for the Town.

8.6 Financial Management

The Town ensures optimal service delivery and implementation of the Plan. With limited financial resources available to all levels of government, the implementation of this Plan must be financially viable. This Plan will be managed to ensure that the required capital expenditure to provide the services for development and improvement are paid in an equitable and appropriate manner. The Town will strive to maintain financial sustainability and integrity by managing its financial resources and by undertaking development in a fiscally responsible manner.

The following will be the policy of the Town:

- a) The Town may use the population, dwelling and employment targets in the Plan in budget planning, and to coordinate public works and related initiatives.
- b) The Town will diligently seek the maximum revenues possible from senior levels of government to compensate it for any federal or provincial responsibilities transferred to it in relation to the provision of public infrastructure, community soft services, and land use planning.
- c) Where possible, the Town will use financial mechanisms available to it under any legislative authority, including the *Municipal Act*, *Development Charges Act*, *Planning Act* and any other applicable legislation.
- d) The Town will recover all growth-related capital costs through development charges, in accordance with Provincial legislation. The Town may pass development charges by-laws that apply to the Town, as a whole and/or that apply to specific geographic areas within the Town.
- e) The Town reserves the right to request a Municipal Financial Impact Assessment from the proponent of any development application. The contents of such a study will be determined by the Town at the time of the request. The Study will be prepared and will be peer reviewed at the cost of the development proponent. Development applications or proposals that otherwise comply with the relevant policies of this Plan may be refused on the basis of financial impact and burden on the Town, if suitable mitigation measures are not available.

8.7 Interpretation

Town Council, appointed Committees, and Town staff will be responsible for interpreting all aspects of the Plan. Where policies may reference specific issues of significance to the Province, the interpretation of this Plan will be conducted in conjunction with the Ministry of Municipal Affairs and Housing. As the sections of the Plan are interrelated, the Plan will be read and interpreted in its entirety.

The following will be the policy of the Town in relation to the interpretation of this Official Plan:

- a) The Nodes and Corridors identified on Schedule "A" are conceptually illustrated and are not intended to define the geographical extent of the Nodes and Corridors. The geographic extent will be defined through the land use designations identified on Schedule "C".
- b) The boundaries of Urban Areas, Employment Areas, Hamlet Areas, Waterfront Residential Areas and Urban Fringe Areas are illustrated on Schedule "C" and are intended to be precise, and will be interpreted as such by the Town. Actual measured distances and boundaries in relation to the Urban Area, Hamlet Area, Waterfront Residential Area and Urban Fringe Area will be determined based on the schedules of the Zoning By-law.
- c) The boundaries of Natural Heritage Features, marginal land areas and resource areas identified on Schedule "B" may be further refined through an Environmental Impact Assessment (EIA). Where the general intent of the Plan is maintained, and subject to consultation with the MNR, minor adjustments to boundaries will not necessitate an amendment to this Plan.
- d) The boundaries between land uses designated on Schedule "C" are approximate except where they coincide with roads, rivers or other clearly defined physical features.
- e) Any reference to numerical values such as quantity, area, density, or population and employment targets will be considered as approximate only and not absolute. Minor changes will not necessitate an amendment to this Plan.
- f) Any modifications or revisions to community names in this Plan or Schedules will not require an amendment to this Plan.
- g) In the case of a discrepancy between the policies in the text and related schedule, the policies in the text will take precedence.
- h) In the case of a perceived discrepancy between the policies, the more restrictive policy, as determined by the Town, will apply.

- i) Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and/or essential to that use will also be permitted.
- j) Unless otherwise defined or interpreted to be defined through the policies of this Plan, terms and words used in this Plan will be interpreted as defined in the Provincial Policy Statement or the Zoning By-law, where such terms are defined by said documents. In the case of a discrepancy between the Provincial Policy Statement and the Zoning By-law, the Zoning By-law will prevail in the definition of a term or word. The Town will ensure that the definitions in the Zoning By-law are consistent with the Provincial Policy Statement.
- k) Municipal buildings, activities, services and public and private utilities will be permitted in any land use designation, save and except in Natural Heritage Features. This will be deemed to include activities and services provided under the *Municipal Act*, *Drainage Act* or any other legislation.
- l) Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.
- m) Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.
- n) The effect of this Plan is such that no municipal public works will be undertaken, and no municipal by-law passed for any purpose, that does not conform to and comply with this Plan.
- o) Public works undertaken by all other levels of government or public agencies, including the Government of Canada and the Province of Ontario, will also be required to conform to this Plan, except where exempted under specific Federal or Provincial legislation.
- p) The references to “the Town” in this Plan will mean the Corporation of the Town of Lakeshore, a municipality in the Province of Ontario to which this Plan applies.
- q) Sections 1 through 8 inclusive and the Schedules will be considered operative components of this Plan. Any Appendices to this Plan, whether embodied in the text of the Plan or located at the end, will not be considered to be an operative component. Any changes to an Appendix to this Plan will not require an amendment.
- r) Typographical errors may be corrected without amendment to this Plan.

8.7.1 Provincial Policy Statement

This Plan has been prepared to be consistent with the Provincial Policy Statement, 2005. Should, at any time, the Province amend the Provincial Policy Statement, the Town will amend the Plan in a manner that reflects the legislative requirements to implement the Provincial Policy Statement at the earliest 5 year review or otherwise as directed by Provincial legislation.

The Provincial Policy Statement has been and will continue to be reviewed in light of the local context and circumstances. The Provincial Policy Statement and this Plan will be reviewed and balanced in totality to determine public interest and consistency in the Town of Lakeshore.

In interpreting Section 3(5) and (6) of the *Planning Act*, which requires that planning decisions "shall be consistent with" the Provincial Policy Statement, the following will guide the Town:

- a) the application of "shall be consistent with" does not imply that the Town does not have the ability to develop policies and make planning decisions to address unique local circumstances and context, however the Town's planning decisions will achieve the desired outcomes of the Provincial Policy Statement;
- b) the Town's planning decisions may go beyond the minimum standards provided in the Provincial Policy Statement provided they do not conflict with any other area of the Provincial Policy Statement; and
- c) Judicial and quasi-judicial decisions and other planning decisions will assist in understanding the application of "shall be consistent with".

