

Municipality of / Ville de Lakeshore Official Plan



*A progressive municipality of
healthy, integrated communities*

FINAL DRAFT
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1.0 INTRODUCTION

The Municipality of Lakeshore Official Plan (the Plan) is an essential tool to manage future growth, development and change in the Municipality. This Plan provides a blueprint for growth over the planning period to the year 2031, by incorporating a growth management framework which ensures orderly and efficient development patterns by building sustainable and complete communities while protecting and enhancing the Municipality's rich natural and agricultural resources. It ensures that the planning framework and tools are in place to make the Municipality of Lakeshore a healthy and desirable place to live, work and enjoy recreational opportunities.

The Plan implements the direction of the Provincial Policy Statement, 2020, the County of Essex Official Plan, and provides guidance to Council and the Municipality in consideration of their responsibilities, and provides direction and certainty to the Municipality'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 Municipality 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 Municipality.
- b) This Plan implements the policies of the Provincial Policy Statement, 2020, 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. However, there are some policies within the Provincial Policy Statement, 2020 that need to be considered and implemented first by the County of Essex. These include, but are not limited to, settlement area boundary expansions and employment land conversions outside of a Municipal Comprehensive Review, and communal servicing permissions.
- c) This Plan conforms to the County of Essex Official Plan policy framework, while providing more detailed land use planning policies to address local planning issues in the Municipality of Lakeshore.
- d) This Plan is based on a planning horizon to the year 2031 as required by the Provincial Policy Statement, 2020, and the County of Essex Official Plan, which provides population projections to the Municipality to the year 2031. However, in accordance with the *Planning Act*, the Municipality will review the Plan at a minimum of 5 year intervals to ensure the Plan achieves the goals and objectives of the Municipality, and determine if amendments are required. Furthermore, the Municipality will initiate an update to this Official Plan within one year of the County completing their Municipal Comprehensive Review.

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- e) 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 Municipality'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.
 - f) This Plan is based on a Population, Household and Employment Forecast Study, April 2006 (Growth Study), the County of Essex Official Plan, and a Growth Analysis Study Update, November 2015, 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.
 - g) 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.
 - h) This Plan and supporting Master Plan Studies have been prepared through a consultative public process involving the community, public agencies, Municipality administration and staff, Municipal Council, the County of Essex and Provincial agencies.

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 Municipality 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 Municipality to ensure a sustainable living environment that meets the needs of the community over the planning horizon to the year 2031. 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 Municipality.

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

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- 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 Municipality, based on the Municipality'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.
- 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 policies 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 Municipality'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. This section also includes definitions of terms used throughout this Plan.
- Section 9: **Special Planning Areas and Secondary Plans** - this Section provides guidance for the preparation of Special Planning Area Studies or Secondary Plans, which will provide more detailed growth and development policies for Special Planning Areas within the Municipality. 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 to this Section.
- 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 “B1-1” Intake Protection Zones and Event Based Areas
- Schedule “B1-2” Highly Vulnerable Aquifers
- Schedule “B1-3” Significant Groundwater Recharge Areas
- Schedule “B2-1” Natural Heritage Features
- Schedule “B2-2” Natural Heritage System
- Schedule “B3” Natural Resources and Human-Made Hazards
- Schedule “B4” Natural Hazards and Flood Prone Areas

Schedule “C”, which includes:

- Schedule “C1” Land Use (Rural Area)
- Schedule “C2” Land Use (Belle River)
- Schedule “C3” Land Use (Emeryville)
- Schedule “C4” Land Use (Russell Woods)
- Schedule “C5” Land Use (Wallace Woods)
- Schedule “C6” Land Use (Patillo/Advance)
- Schedule “C7” Land Use (Amy Croft/Manning Road)
- Schedule “C8” Land Use (Stoney Point/Pointe-Aux-Roches)
- Schedule “C9” Land Use (Lighthouse Cove)
- Schedule “C10” Land Use (Comber)
- Schedule “C11” Land Use (County Road 22 Special Planning Area)

Schedule “D”, which includes:

- Schedule “D1” Road Classification (Rural Area)
- Schedule “D2” Road Classification (Maidstone and Belle River Urban Areas)
- Schedule “D3” Active Transportation Network

Appendix “1”: Hazardous Forest Types

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 Municipality 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 Municipality.

The purpose of the Official Plan is to:

- a) Provide an overall policy framework for the Municipality to manage growth in an efficient and sustainable manner that meets the Municipality's needs to 2031.
- b) Establish a long-term growth management structure that provides guidance and policies for the Municipality 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 Municipality.
- e) Promote the long-term financial viability of the Municipality.
- 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 Municipality's Vision & Mission Statement

The Municipality's Vision, Mission Statement and Planning Objectives and Strategies provide broad direction for the long-term planning and development of the Municipality. The Community Strategic Plan outlines the shared vision for the Municipality. The Municipality's Vision, Mission Statement and Planning Objectives were developed through a consultation process that involved input from the community, local First Nations, agencies, Municipality 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 Municipality's Vision, Mission Statement and Planning Objectives and Strategies, which are outlined in this Section.

The Municipality's Vision is to create:

“A progressive Municipality of healthy, integrated communities.”

The Municipality's Mission Statement is:

“To nurture a unified Municipality 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 Municipality of Lakeshore:



2.3.1 Is Economically Progressive and Successful (Economy)

“Lakeshore will ensure that our Municipality is economically progressive and successful.” Balanced and diverse economic growth is required to ensure the long-term sustainability of the Municipality. The Official Plan will promote diverse employment and commercial activities and economic development through the following strategies:

- a) Maintain/strengthen the Municipality’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 Municipality and the region;
- b) Ensure the viability and long-term health of the Municipality’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;

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- d) Promote balanced and diversified economic opportunities;
 - e) Promote agricultural uses, agriculture-related uses, and on-farm diversified uses to ensure the viability of agricultural operations and the long term protection of prime agricultural areas;
 - 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 Municipality 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) Support the principles of inclusive and diversified housing that will:
 - o Ensure an adequate supply and choice of housing for Lakeshore communities;
 - o Increase the supply of affordable housing; and,
 - o Investigate multi-modal transportation options to support people through all stages of life, regardless of income.
 - j) Promote local and regional economic development opportunities, through the coordination of economic activities among municipalities, agencies, landowners and local groups; and
 - k) Promote the interconnectedness of the Municipality's multiple communities through innovative and leading-edge telecommunications infrastructure.
 - l) Strongly support and participate in the completion of the County's Regional Economic and Employment Land Strategy which will provide a plan and policies for the development of a regional serving Employment Area. The Municipality supports the consideration of a Regional Employment Land Area in the Municipality of Lakeshore and along the Highway 401 corridor;
 - m) Provide opportunities for a diversified economic base by maintaining a range of suitable sites for employment uses and encouraging compact and mixed use development that accommodates compatible employment uses to support liveable and resilient communities; and
 - n) 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 Municipality to appropriately respond to changing market demands.

2.3.2 *Is On the Move (Transportation)*

“Lakeshore will ensure that our Municipality is on the move.” Well connected and efficient multi-modal transportation choices are important to connect the Municipality’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 and support active transportation;
- b) Promote sustainable development that supports public transit and is oriented to pedestrians;
- c) Promote transit connections within Lakeshore and the County, including transit connections to the City of Windsor and transit links between Primary Nodes and the various communities;
- d) Promote the creation of compact, walkable, pedestrian-oriented, mixed-use developments to support, and integrate with, future transit and rail systems.
- e) Improve the movement of goods and people, including improvements to County Roads 22 and 42, and improved connectivity between residential communities;
- f) Direct heavy industrial uses, manufacturing and logistics to appropriate locations to avoid land use conflicts and take advantage of the inter-regional attributes and international border crossings accessed from Highway 401;
- g) Protect major goods movement facilities and corridors, including areas readily accessible to the Highway 401 corridor for long term employment uses that require those locations and from incompatible land uses;
- h) Provide a framework for consistent road classifications and development standards;
and
- i) 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 Municipality 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 Municipality of Lakeshore will promote improved quality of life for Lakeshore residents by making the Municipality a desirable place to live, work and enjoy recreational opportunities. The Official Plan will enhance the Municipality’s character and sense of place through the following strategies:

- a) Promote community identity and preserve unique community characteristics;

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- b) Recognize, celebrate and promote First Nations' culture within the Municipality through urban design, landscape architecture, and public art.
 - c) Provide appropriate community services and amenities;
 - d) Establish a new Primary Node in Wallace Woods with a unique mix of amenities and experiences;
 - e) Promote public access to the waterfront and enhanced recreational opportunities;
 - f) Promote and ensure well-designed built form and urban design that encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.
 - g) Protect agricultural lands for a variety of agriculture and agriculture-related activities and on-farm diversified uses, and limit non-agriculture related uses within agricultural areas;
 - h) Promote the integration of urban agriculture and edible landscapes as a means to celebrate, integrate, and recognize Lakeshore's agricultural landscape in urban areas.
 - i) Promote the preservation of cultural and heritage features and archaeological resources;
 - j) Support the reinvestment in and rehabilitation of communities through the use of Community Improvement Plans; and
 - k) Promote good community design appropriate to the local character.

2.3.4 Is Responsible, Accountable and Influential (Administration)

"Lakeshore will ensure that our Municipality is responsible, accountable and influential."

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

- a) Provide a consistent and equitable land use planning framework across the entire Municipality;
- b) Provide a clear blueprint to direct future growth and development in the Municipality;
- c) Provide guidance to Municipality 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

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- e) Promote the Municipality'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 Municipality 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 Municipality over the planning period and identifies future land needs. It is prudent for the Municipality 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 Municipality are identified to accommodate future growth. The Official Plan will ensure that the Municipality 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 within all settlement areas of the Municipality where servicing and safe access are available;
- c) Provide a range and mix of housing opportunities at appropriate densities, built forms, and affordability to accommodate a diverse population from youth to seniors housing, including support for aging in place.
- d) Promote reasonable and compatible infill and intensification in existing built-up areas as a first alternative prior to expansions into agricultural lands being considered;
- 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 Municipality;

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- 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 public service facilities in an efficient and cost-effective manner to accommodate projected needs, in a manner that is financially viable over their life cycle.

2.3.6 Is Naturally Inviting and Environmentally Aware (Environment)

“Lakeshore will ensure that our Municipality is naturally inviting and environmentally aware.” The Municipality of Lakeshore accommodates a variety of significant natural features and environments that provide ecological, cultural and recreational benefits. It is the desire of the Municipality 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 Municipality 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) Maintain and enhance the Municipality’s urban tree canopy on municipal and privately-owned lands and require tree preservation and enhancement plans as part of every development application, where it may apply;
- d) 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;
- e) Direct development away from natural and human-made hazards and flood and erosion hazards through the development of a Shoreline Management Plan for the entire Lake St. Clair Shoreline within the Municipality of Lakeshore;
- f) Protect groundwater quality within the requirements of Provincial legislation, through protection of groundwater sources and establishing natural buffers;
- g) Recognize and protect for the interconnectedness of natural heritage systems and their functions including recognizing the role that Natural Heritage Systems plays in moderating climate change impacts;

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- h) Promote the creation, expansion and enhancement of the natural heritage system in support of the County Official Plan and the Essex Region Natural Heritage System Strategy (ERNHSS) through the establishment of a Natural Heritage System Plan for Lakeshore;
 - i) Promote green buildings and green infrastructure that are sustainable and environmentally sound. The Municipality will investigate and support opportunities for green roofs, district energy sources, energy efficient buildings, and additional Green Development Standards;
 - j) Balance the agricultural preservation goals with the community desire to preserve, expand and enhance Natural Heritage Features;
 - k) Protect mineral and aggregate resources for future extraction and subsequent rehabilitation measures;
 - l) Support passive recreational and environmental education opportunities where appropriate;
 - m) Promote the redevelopment and remediation of brownfield sites and contaminated sites; and
 - n) Consider the impacts of climate change that may increase the risks associated with natural hazard lands, and promote the development of resilient communities through the development of a Climate Action Plan for Lakeshore and participation in the Windsor-Essex Climate Change Collaborative.

3.0 MANAGING CHANGE – WHERE & HOW TO GROW

3.1 Introduction

The Plan manages change by directing where and how the Municipality 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 Municipality. Schedule "A" and the related policies provide a growth management strategy that identifies the Municipality's fundamental community structure over the planning horizon and provides guidance for long-term growth.

3.2 Growth Projections

The Municipality of Lakeshore's population, household and employment growth projections are based on forecasted growth as allocated by the County of Essex Official Plan and supporting Population and Employment Foundation Report, County of Essex Official Plan Review, August 2011, and the Municipality's Official Plan Review Growth Analysis Study, November 2015, which resulted in information on population, household and employment growth and associated land needs within the 20-year (2031) planning horizon.

The Municipality is forecast to continue to experience 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

	2011	2015	2021	2026	2031
Population	34,546 ¹	36,611 ²	38,500	39,900	41,000
Household	12,331 ¹	13,185 ²	13,970	14,610	15,120
Employment ³	9,580	10,740	12,180	13,700	15,180

¹ Source: 2011 Census of Canada

² Source: 2016 Census of Canada

³ Source: Town of Lakeshore Official Plan Review Growth Analysis Study, November 2015

The Municipality's planning and growth management activities must ensure flexibility to accommodate growth, while avoiding inefficient and costly development patterns. In addition, the Municipality 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 Municipality:

- a) The Municipality will undertake planning and growth management activities on the basis of the population and employment projections in Table 3.1. The population and employment forecasts have been updated to conform to the population, household and employment projections and settlement area boundaries established in the County Official Plan. The Municipality acknowledges that there is sufficient residential capacity within the existing settlement areas to satisfy the residential growth needs of the Municipality to 2031.
- b) The Municipality will work with the County and the local municipalities to ensure an appropriate growth projection and allocation to the Municipality of Lakeshore at the time of the next County Official Plan review.
- c) The Municipality will continue to advance work on the preparation of Secondary Plans that provide more detailed development policies for the Special Planning Areas, to ensure an appropriate amount of designated residential and employment lands are available within the Municipality to accommodate forecasted growth.

3.3 Community Structure

The Municipality 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 Municipality, and promotes a comprehensive planning framework to appropriately manage future growth and development in multiple urban centres.

The community structure for the Municipality 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, while directing development away from natural hazards.

This Section identifies community structure policy areas which provide guidance on the overall growth management and community structure for the Municipality. Schedule “A” illustrates the existing and planned community structure for the Municipality of Lakeshore over the planning horizon. Furthermore, there are several policy areas that overlay the community structure, including the natural heritage features and areas and hazard land 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 Municipality is comprised principally of Primary Settlement Areas, Secondary Settlement Areas, and the Agricultural Areas. The Primary Settlement Areas include the Maidstone/Belle River Urban Area and Wallace Woods; the Secondary Settlement Areas include a diversity of historic settlement communities which include Hamlet Areas, Waterfront Areas associated with the Lake St. Clair shoreline and the Belle River Strip, Ruscom River Strip and Puce River Strip; as well as Urban Fringe Areas, which are settlement areas adjacent to communities outside the Municipality.

The Municipality’s Primary and Secondary Settlement Areas are further defined by the following interrelated community structure policy areas:

- i) Urban Area;
- ii) Employment Area;
- iii) Hamlet Area;
- iv) Waterfront Area;
- v) Urban Fringe Area;
- vi) Primary Node;
- vii) Secondary Node;
- viii) Mixed Use Node;
- ix) County Road 22 Mixed Use Corridor;
- x) County Road 42 Regional Corridor;
- xi) Urban Reserve Area; and
- xii) Special Planning Areas.

The Community Structure Plan provides a conceptual growth plan for the Municipality, including the identification of Special Planning Areas as discussed in Section 9.0. The Special Planning

Areas identify both an immediate and long-term structure for the Municipality and identifies the unique planning considerations within the Special 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 and Schedule A identifies the Primary and Secondary Settlement Areas in the Municipality which are further defined by the following community structure policy areas: Urban Areas, Employment Areas, Hamlet Areas, Waterfront Areas, and Urban Fringe Areas, to which the policies of the subsequent Sections apply.

The Municipality's growth management strategy is to direct the majority of future growth and development to the Primary Settlement Areas to strengthen the Municipality's settlement structure, and provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. Primary 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, while preserving lands designated Agricultural Area.

Secondary Settlements vary in nature and character but will generally accommodate more modest growth than that directed to the Primary Settlement Areas, and in accordance with the hierarchy of community structure policy areas, and the policies of this Plan.

Table 3.2 – Settlement Areas and Community Structure Policy Areas

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

a) Local Comprehensive Review

It is anticipated that sufficient land has been designated to accommodate growth and development, therefore, Settlement Area expansions are not contemplated. Expansions will only be permitted for a Primary Settlement Area and will only be considered through a Local Comprehensive Review (LCR) of this Plan. A LCR may recommend alterations to one or more Settlement Area boundaries provided that such adjustment would maintain or reduce the aggregate amount of land within the Municipality’s Settlement Areas. The Municipality may undertake a LCR to identify the most and least appropriate locations for growth within the Municipality. A LCR is distinguished from a comprehensive review as defined in the County of Essex Official Plan and the Provincial Policy Statement. A LCR is an Official Plan review which may be initiated at any time by the Municipality or an Official Plan Amendment which is initiated or adopted by the Municipality in accordance with the policies of Section 8.2.1, and the following:

- a) In accordance with the policies of the Essex County Official Plan, the preparation of a LCR shall follow, at a minimum, the requirements listed below:

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- i) Pre-consult with the County to establish the appropriate methodology, analysis and level of detail to be undertaken to sufficiently qualify the conclusions of the LCR.
 - ii) A LCR may focus on residential or employment land transfer, or both. Where the focus is only on either residential or employment, the LCR will consider whether there are lands suitable for conversion to a different land use. For example, if the LCR is focused on employment land transfer, then the merits of converting residential lands within the existing Settlement Areas to employment should also form part of the LCR.
 - iii) Compile the aggregate amount of employment and/or residential land, depending on the focus of the review, including vacant, built, brownfield and other land within each Settlement Area.
 - iv) Identify and assess the extent of primary and secondary constraints to the build-out of each Settlement Area. Primary constraints may include such factors as environmental, natural hazards, lack of services, soil types, topography and transportation. Secondary constraints may include isolated locations, contamination, fragmented ownership, and incompatible surrounding land uses, among other matters.
 - v) Determine the amount of population and/or employment, depending on the focus of the review, that could be accommodated in each Settlement Area under existing conditions given the site and area characteristics and constraints.
 - vi) Identify and analyze the intensification opportunities within the built-up and greenfield areas of each Settlement Area.
 - vii) Prepare a Master Servicing Report outlining the method of servicing available and planned for all Settlement Areas. This Report will include an analysis of costs and efficiencies associated with expanding any Primary Settlement Area.
- b) In the event that the LCR concludes that one or more Settlement Area boundaries should be altered, the recommendations will not be finalized until the County and Local Official Plan are amended, and the adjustment satisfies the following criteria:
- i) the expansion of any area will be limited to only Primary Settlement Areas, and an expansion to a Secondary Settlement Area will not be permitted;
 - ii) the aggregate amount of land within all Settlement Areas will be maintained or reduced as a result of the Settlement Areas boundary adjustment(s). For example, if a Primary Settlement Area is recommended for expansion, then the corresponding area within an existing Secondary Settlement Area shall be reduced accordingly. The areas removed from the Secondary Settlement Area(s) will be redesignated to Agricultural Area in this Plan and the County Official Plan;
 - iii) sufficient opportunities for appropriate growth are not available through designated growth areas to accommodate projected needs over the planning horizon within the Municipality, 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;

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- iv) opportunities for intensification, infill and redevelopment have been accounted for in evaluating alternatives to a Primary Settlement Area expansion, in accordance with the policies of Section 4.3.1.2 of this Plan;
 - v) the amount of land included within the expansion area is justified based upon the amount and nature of land available for development within the Municipality as a whole and the Settlement Areas on an individual basis, the population projections for the Municipality, and the intended role of the Settlement Area;
 - vi) the proposed expansion is a logical extension of the Primary Settlement 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;
 - vii) the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
 - viii) the infrastructure and public service facilities which are planned or available are suitable for the expansion area over the long-term and protect public health and safety;
 - 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 in prime agricultural lands, or there are no reasonable alternatives to avoid prime 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 expanding Primary Settlement Areas on Agricultural Areas are mitigated to the extent feasible. The establishment of buffers and setbacks and appropriate subdivision designs are utilized to reduce the impact on surrounding agricultural land, operations and infrastructure; and
 - xiv) considers cross-jurisdictional issues.

3.3.1 Urban Areas

The Urban Areas within the Municipality include both Primary and Secondary Settlement Areas which 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 Primary Settlement Urban Areas of the Belle River Urban Area and the Maidstone Urban Area, including the Wallace Woods Special Planning 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 Secondary Settlement Urban Areas of Comber, Stoney Point/Pointe-Aux-Roches and Lighthouse Cove will experience moderate growth, infilling and the development of existing vacant designated lands, to a lesser extent than the Primary Settlement Areas. Specific policy direction for Lighthouse Cove will be approved in accordance with a secondary plan, in accordance to Section 9.7.

Primary Settlement Urban Areas will be the predominate focus of a full range and mix of residential, commercial, non-industrial and community-related employment, office, institutional, entertainment, cultural, recreational and open space uses, but not including heavy industrial uses. Primary Settlement Urban Areas will primarily support opportunities for infill, redevelopment and intensification through a mix and range of uses appropriate within the community context.

The Primary Settlement 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 in the Secondary Settlement Urban Areas, 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”. Primary Settlement Urban Areas will be the predominate 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. Secondary Settlement Areas will accommodate growth to a lesser extent than the Primary Settlement Areas and will primarily be the focus of residential uses, but may also accommodate commercial, community-related employment, office, institutional, entertainment, cultural, recreational and open spaces uses, depending on the community context.
- 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 Municipality 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. Primary Settlement 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. Secondary Settlement Areas are encouraged to accommodate new development on full municipal sanitary sewage and potable water services, and subject to the interim servicing policies in accordance with Section 7.3, where applicable and appropriate.
- c) It is anticipated that sufficient land has been designated to accommodate Urban Area growth and development, therefore, Settlement Area expansions are not contemplated. Expansions of a Primary Settlement Area will only be considered through a Local Comprehensive Review of this Plan in accordance with the policies of Section 3.3 a).

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 Municipality, 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 Primary Settlement Employment Areas within and adjacent to the Patillo/Advance Special Planning Area and the Secondary Settlement Employment Area in Comber Urban Area will continue. The Secondary Settlement Employment Area within Stoney Point/Pointe-Aux-Roches Settlement Area may develop subject to the appropriate provision of services. Employment growth will be focused to the Primary Settlement Employment Areas, and to a lesser extent to the Secondary Settlement Employment Areas.

The Municipality will strongly support and participate in the completion of the County's Regional Economic and Employment Land Strategy, which will provide a plan and policies for the development of a regional serving Employment Area. The Municipality supports the consideration of a Regional Employment Land Area in the Municipality of Lakeshore and along the Highway 401 corridor.

The following policies will apply to the Employment Areas:

- a) The location of Employment Areas are illustrated on Schedule "A". Primary Settlement 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. Secondary Settlement Employment Areas will accommodate employment growth to a lesser extent than the Primary Settlement Employment Areas.
- 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. New development in Secondary Settlement Areas on private or partial sewage and water services will generally be limited to dry employment uses;

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- 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 and areas, and the natural heritage system.
- c) The Municipality will strive to provide a minimum 15-year supply of designated and serviced employment lands at all times, which should include a range of site selection choices by parcel configuration, designation, zoning and location.

Expansions of a Primary Settlement Area will only be considered through a Local Comprehensive Review of this Plan in accordance with the policies of Section 3.3 a). The Municipality has identified an immediate need for additional developable and fully municipally serviced Employment Area land, which may be accommodated through the following means:

- i) within the Primary Settlement Area of Maidstone on existing vacant and/or underutilized designated Employment Areas within a Special Planning Area, which do not require the preparation of a Secondary Plan prior to development occurring, and subject to the provision of appropriate municipal services in accordance with Section 7.3;
 - ii) within the Primary Settlement Area of Maidstone in the Urban Reserve Area, as such, it is a priority of the Municipality to support the preparation of a Secondary Plan in the near-term to designate additional Employment Area lands within Maidstone, particularly within Lakeshore West/Manning Road, Patillo/Advance, and the Wallace Woods Special Planning Areas, in accordance with the respective Special Planning Area policies of Section 9.0;
 - iii) through a LCR in accordance with the policies of Section 3.3 a) to rationalize growth and the distribution of Employment Areas within the Municipality to lands most appropriate; and
 - iv) through the preparation of an Employment Lands Strategy in accordance with the policies of Section 3.3.2.1.
- d) Employment Areas will be protected and preserved for employment uses and the Municipality will strongly 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 Local Comprehensive Review, 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 Local Comprehensive Review is an Official Plan review which may be initiated at any time by the Municipality in accordance with the policies of Section 3.3 a), and where it is demonstrated that:

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- i) the location of the employment lands do not satisfy the contemporary or future economic needs of the Municipality;
 - ii) the total amount of land designated Employment Designation in the Municipality 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 uses 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) Through the completion of the Employment Lands Strategy and/or a Secondary Plan for a Special Planning Area, the Municipality 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. The County Official Plan encourages local municipalities to undertake a LCR of the Settlement Areas with the goal of re-allocating growth to the most appropriate locations, which may be initiated at any time. In doing so, and in addition to the LCR requirements of Section 3.3 a) of this Plan, the Municipality will be satisfied that the following additional matters are addressed for the lands to be transferred to the Employment Area:
- i) the lands are located directly adjacent to a Primary Settlement Area and adjacent to a Special Planning Area as identified on Schedule "A";

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- 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 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.
- f) New development will not have a negative impact on traffic movement, turning movement or the overall function of a Provincial Highway or County Road. 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 Municipality to designate additional employment lands including regional serving employment lands, within the Municipality, through an Employment Lands Strategy. The Municipality will strongly encourage the County to develop a County-wide Employment Lands Strategy to provide a plan and policies for the development of a regional serving Employment Area, particularly in the Municipality of Lakeshore. Alternatively, the Municipality will work with the County and local area municipalities to develop and implement an Employment Lands Strategy for the Municipality 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 Municipality due to certain lands location and/or availability of servicing. Additional Employment Areas may be designated through the preparation of Secondary Plans for the Wallace Woods Special Planning Area, the 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 9.0. The Municipality will endeavour to complete the implementing amendment to this Plan likely through the preparation of a Secondary Plan for Urban Reserve Area lands within an identified Special Planning Area.

3.3.3 Hamlet Area

Hamlet Areas are small rural, predominately residential Secondary Settlement Areas 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. 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 or the establishment of new Hamlet Areas are not permitted. Adjustments to Hamlet Area boundaries may only be considered in accordance with the Local Comprehensive Review requirements of Section 3.3 a).

The following polices will apply to the Hamlet Areas:

- a) Hamlet Areas are identified as Secondary Settlement Areas, and 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.
- 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 Municipality 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 or the establishment of new Hamlet Areas are not permitted.
- 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:

- xv) address failed individual on-site sewage and individual on-site water services within existing development;
- xvi) 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
- xvii) provided site conditions are suitable for the long-term provision of such services.

3.3.4 Waterfront Area

The Waterfront Areas are identified as Secondary Settlement Areas and consist 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 permitted.

The following policies will apply to the Waterfront Area:

- a) Waterfront Areas are identified as Secondary Settlement Areas, and 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;
 - ii) an appropriate servicing system and safe access is provided in accordance with the policies of Section 7.3; and
 - iii) Conforms to the Zoning By-law.
- c) Expansions to the Waterfront Areas are not permitted.
- 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 Municipality 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 Municipality.

3.3.5 Urban Fringe Area

The Urban Fringe Area is identified as a Secondary Settlement Area and consists of clusters of predominately residential and commercial uses which have developed at the periphery of the Municipality of Lakeshore adjacent to Settlement Areas outside of the Municipality. 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 permitted.

The following policies will apply to the Urban Fringe Area:

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- a) Urban Fringe Areas are identified as Secondary Settlement Areas, and 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 permitted.
 - 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 Municipality-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:

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- 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 Municipality-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, including: recreation centres, schools, institutional uses, entertainment and cultural facilities.
 - b) Primary Nodes will develop with efficient land use patterns and densities, and a mix of land uses to support the Municipality.
 - c) Primary Nodes will:
 - i) provide for medium to higher density housing forms including stacked townhouses and apartment buildings;
 - ii) Ensure 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) Ensure high standards of community and urban design;
 - v) Ensure densities and development patterns that support public transit opportunities;
 - vi) provide appropriate transitions with adjacent land uses to avoid land use conflicts;
 - vii) Ensure the creation and expansion of a healthy, comfortable and inviting, linked network of pedestrian pathways and public open spaces;
 - viii) Establish public squares as central gathering places; and
 - ix) provide an appropriate level of transportation infrastructure and parking accommodation.
 - d) The Municipality 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 Municipality will promote growth through infill, intensification and redevelopment of vacant and/or underutilized sites.

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- c) The Municipality will continue to support the implementation of the Belle River Community Improvement Plan to encourage the revitalization of the Belle River Historic Downtown as a priority.
 - d) The Municipality will require all buildings to be street oriented with parking in the rear;
 - e) The Municipality will encourage a minimum of street-fronting 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.
 - f) The Municipality will continue to support the implementation of the Belle River Community Improvement Design Guidelines 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.
 - g) The Municipality 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 Municipality 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.

3.3.6.2 Wallace Woods New Primary Node

The following specific policies, in addition to the policies in Section 9.5 f), 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 Municipality will ensure land use compatibility with adjacent uses through the use of appropriate buffers and land use transitions.
- d) The Municipality will explore opportunities to secure public lands for passive recreation and open spaces.
- e) The Municipality will require 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 Municipality.
- 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) require high standards of community and urban design;
 - v) provide appropriate transitions with adjacent land uses to avoid land use conflicts;
 - vi) require 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 Municipality 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 Municipality 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) require a broader mix of land uses;
 - ii) require high standards of community and urban design;
 - iii) require densities and development patterns that support public transit opportunities;
 - iv) provide appropriate transitions with adjacent land uses to avoid land use conflicts;
 - v) require 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 Municipality 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 polices 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 Municipality;
 - 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;

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- 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 Municipality and region. The node will also function as a gateway to the Municipality 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 Municipality 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 9.6.
- 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 high quality attractive gateway to the Municipality 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

The County Road 22 Mixed Use Corridor is envisaged as a higher intensity mixed use and future transit supportive corridor extending through the Municipality between Manning Road 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 with a density that promotes walkability, pedestrian connections, transit, and sharing of parking.

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

- a) County Road 22 is a Class 1 Arterial Road and the County is the road authority with jurisdiction over the right-of-way. As such, the County's corridor management policies will be applied in interpreting and implementing the land use and urban design policies for the County Road 22 Special Planning Area.
- b) 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, office-related employment, residential and community uses.
- c) The County Road 22 Mixed Use Corridor is identified as a Special Planning Area and a Corridor Study has been undertaken to provide more detailed land use and design guidance for the development of the County Road 22 Corridor, as outlined in Section 9.4.
- d) Where lands within the County Road 22 Corridor are identified as a Primary Node, the policies of Section 3.3.6 will apply.
- e) Where lands within the County Road 22 Corridor are identified as a Mixed Use Node, the policies of Section 3.3.8 will apply.
- f) The Municipality will encourage infill, intensification and redevelopment and the development of vacant and/or underutilized lands.
- g) The Municipality will encourage medium density residential uses and mixed use buildings in a variety of built forms.
- h) The Municipality will plan for future public transit opportunities and stops along the corridor by encouraging transit supportive densities, transit supportive land uses and transit supportive site design. The Municipality will pursue opportunities for a local and regional public transit system with neighbouring municipalities, the County and transit providers.
- i) The Municipality 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 Municipality 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 Municipality, 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 Municipality, additional road right-of-way along the corridor will be protected and secured where required.
- c) The Municipality 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 Municipality are within the Agricultural Area as identified on Schedule “A” and generally includes all lands outside the Primary and Secondary Settlement Areas, including the community structure policy areas: 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, agriculture-related uses, and on-farm diversified 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 Municipality will preserve and foster a thriving agricultural industry and the associated rural lifestyle. The Agricultural Area of the Municipality 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 Municipality is committed to the long-term protection of prime agricultural land in Agricultural Area. The Municipality 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 Municipality 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 Municipality’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 9.0.

The following policies 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 9.0.

4.0 BUILDING HEALTHY COMMUNITIES

4.1 Introduction

The goals identified through the Community Strategic Plan reflect the Municipality'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 Municipality accommodates and manages growth. While other sections of this Plan address issues related to growth management, land use, natural heritage resources, hazard lands, 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 Municipality.

4.2 Built Environment

4.2.1 *Community Design*

Safe and attractive neighbourhoods contribute to the overall community health of the Municipality. 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 Municipality, including plans of subdivision, infill development proposals, site plans and through community improvement.

The following will be the policy of the Municipality:

- a) The Municipality will seek to maintain and improve the physical design characteristics of Settlement Areas by managing how new and existing development is undertaken, including stressing excellence in architecture, urban design and built form.
- b) Through the review of development applications, including plans of subdivision, site plans and other development proposals, the Municipality:
 - 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 Municipality;
 - ii) will promote efficient and cost-effective development design patterns that minimize land consumption;
 - iii) will encourage urban agriculture initiatives such as community gardens, edible landscaping and roof top gardens in all land use designations and zones;
 - iv) will promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
 - v) will encourage tree retention or tree replacement;
 - vi) will require new development to demonstrate connectivity to an existing or proposed trail network and extend the network through new development as required;
 - vii) will encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure;
 - viii) will ensure that new development incorporates Low Impact Design (LID) in accordance with other policies of this Plan, which are applied to minimize runoff at source, including increased pervious cover, disconnection of impervious areas from the storm sewer system, cisterns for collection of roof runoff, grassed swales, green roofs, and bioretention areas; and
 - ix) may require, at the Municipality's sole discretion, that proponents submit design guidelines with development applications establishing how the policies of this Plan have been considered and addressed. These guidelines would be

prepared to assist in illustrating “excellence in architecture, urban design, and built form” and to establish 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, architectural treatment, and others as the Municipality may determine appropriate.

- 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, where a rear yard abuts a Municipal road, or requires features such as noise attenuation or privacy fencing will generally be discouraged.
- e) New development shall protect, retain, and where appropriate, create views and vistas to prominent buildings and features including, but not limited to, important public and institutional buildings, the waterfront, natural features, and cultural heritage resources.
- f) The Municipality will require that infill developments be compatibly scaled and designed to enhance the character of the area.
- g) Streetscaping that reflects the intended character of the Settlement Area will be required. In particular, contextually appropriate streetscaping in the Primary Nodes, Secondary Nodes and, Mixed Use Corridor will be required.
- h) The Municipality, 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.
- i) 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 required.
- j) A high quality of park and open space design will be required. The land for parkland dedication will be carefully selected to facilitate their use as a central focal point for new or existing neighbourhoods. The Municipality’s preference will be for conveyance of parkland and will discourage cash in lieu for sufficiently large sized parcels.
- k) The Municipality will encourage built forms that are well-designed, encourage a sense of place and provides for public spaces that are of high quality, safe, accessible and vibrant.

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- l) Public art in the Municipality will generally be encouraged to incorporate themes supporting and promoting local history, indigenous culture, civic pride, businesses and technology. The provision of public art in Primary Nodes will be strongly encouraged, particularly with larger development proposals. The Municipality 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.
 - m) The Municipality 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 Municipality 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 outline plans as approved by Council.
 - n) The Municipality will undertake the preparation of urban design guidelines to achieve the policies of this Section for all or parts of the Municipality, particularly Primary Nodes, Secondary Nodes, Mixed Use Nodes, Special Planning Areas, and the County Road 22 Mixed Use Corridor.
 - o) The Municipality will require development design that considers the principles of Crime Prevention Through Environmental Design (CPTED). Specifically, the Municipality will require proponents of new development to situate buildings on lots to maximize natural surveillance and to use appropriate lighting to deter crime.
 - p) The Municipality 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 Municipality 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.
 - q) The Municipality will review the design and layout of parking areas in accordance with the Municipality's parking guidelines.
 - r) The Municipality will consider climate change mitigation and adaptation, pursuant to any available Provincial or County-wide studies, when reviewing applications for future land use and for public works and capital expenditures in order to decrease community energy consumption and improve resiliency to climate change.
 - s) 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 Municipality 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 Municipality 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 Municipality 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 Municipality, or any part of the Municipality; 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;

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- xiii) hazard land constraints such as flooding and/or erosion, where measures are designed to reduce the risk from natural hazards; and
 - xiv) 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) reduce risks associated with hazard land areas;
 - xiii) improve social conditions;
 - xiv) promote cultural development;
 - xv) facilitate and promote community economic development; and
 - xvi) 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 Municipality may undertake a range of actions, including:

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- 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;
 - viii) encouraging off-street parking and providing municipal parking facilities where feasible and appropriate; and
 - ix) preparing supporting Urban Design Guidelines or Façade Improvement Guidelines to assist in the implementation of the Community Improvement Plan. The Municipality will have regard to any new or existing Urban Design Guidelines and/or Façade Improvement Guidelines when evaluating applications under a Community Improvement Plan.
- 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 Municipality will be satisfied that its participation in community improvement activities will be within the financial capabilities of the Municipality.

4.2.3 **Cultural Heritage**

Cultural heritage resources are an important component of the Municipality's history and community identity and will be preserved and enhanced. The Municipality'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 Municipality to support the conservation of these cultural heritage resources for the benefit of the community.

The Municipality 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 Municipality:

- a) Municipality 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 Municipality may use any government programs available to assist in the implementation of heritage conservation policies. Where appropriate, the Municipality will co-operate with other levels of government, as well as private agencies and individuals in the conservation of cultural heritage resources in the Municipality. The Municipality will co-ordinate its heritage plans and programs with heritage plans and programs of senior levels of government.
- c) The Municipality may restore, rehabilitate, enhance and maintain heritage properties owned by the Municipality in fulfilment of the heritage policies. Where feasible, relevant by-laws, programs and public works undertaken by the Municipality should further the heritage policies of this Plan.
- d) The Municipality will seek the acquisition of easements on properties with heritage significance in order to ensure the preservation of these properties in perpetuity.
- e) The Municipality will ensure that each Municipality-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 Municipality 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 Municipality.
- f) The Municipality will 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 Municipality.
- g) The Municipality 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 Municipality 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 Municipality may undertake a cultural heritage master plan which may address matters such as:

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- 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 Municipality:

- a) The Municipality 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 Municipality, and generally advise on heritage matters. The Municipality 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 Municipality'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 Municipality 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 Municipality may choose to designate certain properties or districts under the *Ontario Heritage Act*. The following will be the policy of the Municipality:

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- a) The Municipality may utilize the *Ontario Heritage Act* to conserve, protect and enhance the cultural heritage resources of the Municipality through the designation of individual properties, heritage conservation districts containing significant cultural heritage landscape characteristics and archaeological sites.
 - b) The Municipality 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 Municipality 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 Municipality 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 Municipality recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the Municipality.

The following will be the policy of the Municipality:

- a) Areas of archaeological potential will be determined through the use of Provincial screening criteria, or criteria based on known archaeological records with the Municipality 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 Municipality 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 Municipality may consider archaeological preservation on site to ensure that the integrity of the resource is maintained. The Municipality 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 Municipality may undertake the preparation of an Archaeological Management Master Plan or Cultural Heritage Plan for all or a portion of the Municipality. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Municipality having archaeological potential. The Master Plan may also outline policies, programs and strategies to manage and conserve cultural heritage and archaeological resources.
- e) The Municipality will ensure adequate archaeological assessment and consult appropriate provincial and government agencies, when an identified, marked or unmarked cemetery is impacted by development. The provisions of *the Ontario Heritage Act* and the *Cemeteries Act* will apply.
- f) The Municipality will ensure the interests of Indigenous communities are considered in conserving cultural heritage and archaeological resources, and in undertaking an Archaeological Management Master Plan or Cultural Heritage Plan.

4.2.3.5 ***Development Policies***

The following will be the policy of the Municipality 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 Municipality.
- b) The Municipality 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 Municipality will encourage the preservation of the architectural or historical buildings or sites to be included in proposals for redevelopment, intensification or infill.
- d) The Municipality may consider amendments to the Zoning By-law, including increased density provisions, which would facilitate the restoration of a historical facility.
- e) The Municipality 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 Municipality 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.

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- g) The Municipality 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 Municipality 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, Air Quality and Climate Change Adaption***

Energy efficiency and conservation is an important element of sustainable policy. Reduced energy demand allows for a more sustainable approach to the management of energy use and could provide additional opportunities for local renewable energy projects. By reducing the impacts of greenhouse gas emissions, energy conservation is an important part of improving climate change resiliency. Energy conservation facilitates the replacement of non-renewable resources with renewable energy sources.

The Municipality's Energy Conservation and Demand Management Plan establishes a strategy for identifying and implementing effective energy conservation measures throughout the Municipality and demonstrates the Municipality's commitment to a balanced and sustainable approach to energy usage and requirements. The County has also initiated the development of a Regional Community Energy Plan which will provide targets and recommendations relating to energy conservation measures across all sectors in Essex County.

The Municipality will explore and promote the use of energy conservation and alternative energy generation sources as a means to improve air quality and adapt to climate change, while ensuring the appropriate development of energy supply including electricity generation facilities and transmission and distribution systems to meet the Municipality's needs.

The following will be the policy of the Municipality:

- a) The Municipality 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 Municipality will promote compact urban forms, a mix of land uses and the use of active transportation and transit-supportive development.
- c) The Municipality will promote green building styles, designs and construction techniques which conserve energy and include high-efficiency heating/cooling and lighting systems, fixtures and appliances.

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- d) The Municipality will consider implications on climate change and associated mitigation and adaptation processes. This may be achieved through the development review process with the submission of additional studies and analyses, including but not limited to Green Building Standards, low-impact development standards, LEED certification, as well as the enhancement of study requirements for secondary plans, master plans, and local comprehensive reviews as stated in Section 4.2.1 r) of this Plan.
 - e) The Municipality will promote the landscaping and siting of buildings to provide wind shelters and maximum exposure to sunlight.
 - f) The Municipality 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.
 - g) The Municipality will use any energy conservation grants, loans and audit services to retrofit or renovate older buildings and structures within the Municipality to incorporate energy saving mechanical, electrical and lighting systems.
 - h) The Municipality 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.
 - i) The Municipality will assess opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, to accommodate current and projected needs.
 - j) The Municipality will contribute to and promote a culture of conservation among all public, private, and community groups and local citizens and aim to reduce energy use in all sectors.
 - k) The Municipality will contribute to and show leadership by considering energy conservation and efficiency within its municipal decision making and operations, and energy efficiency improvements to existing facilities.
 - l) The Municipality will work to implement its Conservation and Demand Management Plan, to promote energy conservation measures throughout the Municipality. The Municipality will further implement the County's Regional Community Energy Plan once completed through an amendment to this Plan.
 - m) The Municipality will promote and encourage business and homeowner participation in programs that reward or incentivize investments in energy efficient technologies.
 - n) The Municipality will support government programs and encourage industries to substantially reduce the production of chemical products known to have *negative impacts* on air quality.

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- o) The Municipality may undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on municipal property to improve air quality and reduce the impacts of climate change.
 - p) Opportunities for upgrades to municipal *infrastructure* will consider the impacts of climate change including more frequent and severe rain events and floods to prevent a failure of existing systems.
 - q) The Municipality will promote the use of low impact development technologies when considering development and re-development proposals.
 - r) The Municipality may consider the use of Community Improvement Plans as a tool to encourage energy efficient development and the retrofitting or upgrading of existing facilities.
 - s) The Municipality may consider adopting a Smog Action Plan to further support the objectives of the County's Smog Action Plan.

4.2.4.1 ***Renewable Energy Systems***

The Municipality will promote renewable energy systems and alternative energy systems, where feasible, and in accordance with provincial and federal requirements.

New or expanded alternative or renewable energy systems should be designed and constructed to minimize impacts on adjacent land uses in order to prevent adverse effects from odours, noise and other contaminants and minimize risk to public health and safety. Sites for large-scale alternative or renewable energy systems should have sufficient area to provide appropriate setbacks from sensitive residential and institutional land uses to provide safety and/or minimize other potential impacts.

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, youth, 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 Municipality. 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 Municipality 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 Municipality:

- a) At all times, the Municipality 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. However, upon completion of the County's Municipal Comprehensive Review, this Plan will need to be updated to be consistent with a 15-year supply of lands for intensification and infill development. Additionally, the Municipality 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 Municipality and the forecasted growth within the planning horizon, the Municipality 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 Municipality 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	25,620
Shoreline Development	920
Belle River Strip	1,070
Stoney Point	2,080
Lighthouse Cove	1,000
Comber	1,060
North/South Woodslee	1,040
Urban Fringe Area	350
Hamlets	850
Sub-Total Urban	34,010
Agricultural Area/Small Hamlets	6,990
Total Forecast Population Growth	41,000

Note: Numbers may not add up precisely due to rounding

- d) The Municipality 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. The Municipality encourages urban residential intensification, infilling and redevelopment of existing areas within Settlement Areas to encourage more efficient use of land and allow for the efficient provision of urban services, thereby helping to minimize the costs of providing services while meeting an important component of the Municipality's housing needs.

The following will be the policy of the Municipality:

- 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 dwelling 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 developed areas;

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- iii) the redevelopment of brownfield sites, subject to appropriate site remediation, where required; and/or
 - iv) redevelopment which includes either the replacement or conversion 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) In accordance with the County of Essex Official Plan, the policies of this Plan and the strategies outlined in the Municipality's Residential Intensification Strategy and Guidelines, the Municipality will seek to achieve a minimum of 15 percent of all new residential development on an annual basis to occur by way of residential intensification, infill and redevelopment within existing built-up areas of the Municipality's Settlement Areas. The Municipality's Residential Intensification Strategy and Guidelines has identified suitable areas for residential intensification to more than achieve the Municipality's annual residential intensification target. Residential intensification will be primarily directed to the Primary Settlement Areas, with an emphasis at major intersections and on major roads, serviced by municipal infrastructure and community services to support mixed use, pedestrian friendly communities, and future transit opportunities. As such, priority will be given to accommodating residential intensification and clustering of mixed uses with increased densities within the Municipality's Primary Settlement Areas including the Primary Nodes, Mixed Use Nodes and the County Road 22 Corridor Special Planning Area, on lands designated Central Area and Mixed Use Area, and to a lesser extent in the Secondary Nodes, in accordance with the policies of Section 3.3. It is the preference of the Municipality to accommodate residential intensification within Secondary Settlement Areas on municipal sanitary and water services, however, residential intensification may be permitted in accordance with the servicing policies of Section 7.3.
- c) The Municipality's Residential Intensification Strategy and Guidelines identifies strategies to accommodate residential intensification in a manner appropriate to the Municipality. The Study identifies strategies for increasing the housing supply within the existing designated Urban Areas through infill, and redevelopment, and prioritizes where such residential intensification should occur. The strategy investigates matters such as the availability of vacant or underutilized lands for infill development, and addresses matters related to potential land use conflicts, development standards and guidelines for assessing residential intensification proposals. The Municipality will work to implement the strategies and guidelines and ensure consistency with the Residential Intensification Strategy and Guidelines through the review of development proposals, and where applicable, through Site Plan control in accordance with Section 8.3.4.
- d) The Municipality 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;

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- ii) the existing water and sanitary sewer services can accommodate the additional development;
 - iii) the road network can accommodate the traffic generated;
 - iv) the lands have safe access and are not subject to flooding or other natural hazards as determined in consultation with the applicable Conservation Authority;
 - v) the proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
 - vi) the proposed development is consistent with the policies of the appropriate land use designation associated with the land.
- e) The Municipality 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. The Municipality will report annually to the County on the implementation of the residential intensification strategies and meeting the residential intensification target. 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.
- f) Small scale intensification will be permitted in all areas designated for urban residential use, except where infrastructure is inadequate or there are significant physical, flood hazard, or other natural hazard constraints as determined in consultation with the applicable Conservation Authority.
- g) The Municipality 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 and Design Guidelines, where applicable.
- h) The Municipality recognizes that Urban Areas are not static, and will support appropriate redevelopment, infill and intensification proposals. In accordance with the Municipality's Residential Intensification Strategy and Guidelines, the Municipality will work to ensure that residential intensification will be compatible with the surrounding neighbourhood and at a minimum, address the following built form and urban design considerations:
- i) respect and reinforce the existing physical character of the buildings, streetscapes and open space areas in the area and surrounding neighbourhood;
 - ii) is compatible with the surrounding development;
 - iii) provide heights, massing and scale appropriate to the site and compatible with adjacent lands;
 - iv) where infill development abuts lower density stable residential neighbourhoods, building heights should be of a similar height and scale and provide an appropriate transition through the use of building setbacks, building setbacks,

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- and landscaped buffers, which may include a building height not exceeding a 45 degree angular plane measured from the abutting property line;
- v) support street-related built forms and continuous street frontages on public streets, at intersections and abutting open spaces, particularly within Primary Nodes, Mixed Use Nodes and Secondary Nodes;
 - vi) building facades facing public streets should be well articulated through the use of building materials, architectural treatments and maximize opportunities for transparent building facades, where appropriate;
 - vii) encourage ground level commercial and retail uses to support vibrant streetscapes and pedestrian animation, with residential uses accommodated on upper floors;
 - viii) orient primary building entrances to address the street and provide entrances and walkways level with grade, or appropriately accessible;
 - ix) provide adequate privacy, sunlight and sky views for existing and new residents;
 - x) screen loading and service areas and utility and rooftop mechanical equipment from public view, to the greatest extent feasible;
 - xi) locate parking areas in the interior and rear yards, screened from public view;
 - xii) require a variety of housing forms that accommodate more compact and efficient development, including reduced minimum frontage requirements for lower density residential uses;
 - xiii) new development in older established areas of historic, architectural or landscape value will develop in a manner consistent with the overall character of the older established area, including the historic core areas of Belle River, Comber and Stoney Point/Pointe-Aux-Roches; and
 - xiv) in addition to the general urban design guidelines, the Municipality's Residential Intensification Strategy and Guidelines outlines specific design guidelines for particular intensification areas which will be considered in the review of residential intensification proposals.
- i) For larger scale infill and intensification proposals which involve multiple residential buildings or a complex of buildings, the Municipality may require the submission of any or all of the following:
- i) an Urban Design Brief to demonstrate how the policies of this Plan and the Municipality's Residential Intensification Strategy and Guidelines are being achieved;
 - ii) confirmation of how parcels may be dedicated for community gardens and/or urban agriculture; and
 - iii) demonstration on how transit or higher-order transit corridors have been considered in the design of the development.

4.3.1.3 **Affordable Housing**

The Municipality supports the provision of affordable housing for low and moderate income households, and will work to implement the strategies of the Municipality's Affordable Housing Strategy, prepared in support of this Plan, as well as the Windsor Essex Housing and

Homelessness Plan, to support opportunities to increase the supply of affordable housing within the Municipality.

The following will be the policy of the Municipality:

- a) The provision of housing that is affordable and accessible to low and moderate income households will be a priority. The Municipality will seek to achieve a minimum of 20% of all new residential development on an annual basis, to meet the Municipality's definition of affordable housing, which may include ownership housing or rental housing.
- b) The Municipality will increase the availability 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) directing affordable housing to locations where multi-modal transportation options are available to assist in supporting people through all stages of life, regardless of income. Ensure an adequate supply and choice of housing for Lakeshore communities;
 - iii) Increase the supply of affordable housing; and,
 - iv) Investigate multi-modal transportation options to support people through all stages of life, regardless of income.
 - v) supporting assisted housing, special needs housing and alternative housing forms including second dwelling units and temporary garden suites;
 - vi) the timely provision of infrastructure in the Urban Areas;
 - vii) supporting the reduction of housing costs by streamlining the development approvals process and waiving municipal planning application and building fees and charges, in full or in part, to encourage affordable housing;
 - viii) providing full or partial property tax exemptions for affordable housing units which remain affordable for a minimum period of 20 years;
 - ix) negotiating agreements with the public and private sectors to address the provision of affordable housing through the draft plan of subdivision and condominium approval process. For example, negotiating a percentage of new subdivisions to accommodate a higher density housing form (semis, towns, and multiples).
 - x) considering innovative and alternative residential development standards that facilitate affordable housing and more compact development form;
 - xi) considering creating an Affordable Housing Advisory Committee with representatives from other municipalities and agencies, and residents to facilitate partnerships for the provision of affordable housing; and
 - xii) developing a Municipal Housing Strategy with annual housing targets, mixes of housing types, affordability thresholds and related data.
- c) The Municipality 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 Municipality may:

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- 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 Municipality will encourage innovative and appropriate housing development that exhibits design and adaptability characteristics, and may represent non-traditional additions to the Municipality's housing stock.
- e) The Municipality will actively discourage the demolition or conversion of affordable rental housing stock to freehold if such conversion results in a reduction in the amount of affordable rental housing available to an unacceptable level.
- f) The Municipality will require 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 Municipality 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 Municipality will first consider surplus municipal land for affordable housing and may evaluate the feasibility of providing municipally owned land at a reduced cost for the construction of affordable housing. Furthermore, the Municipality will work with other levels of government to make surplus land available to providers of affordable housing at little or no cost.
- i) The Municipality will encourage opportunities for more affordable housing to be primarily focused within the Primary Settlement Areas, and in the Primary Nodes, which offer convenient access to existing services, facilities and infrastructure.
- j) The Municipality will consider opportunities for permitting additional units in existing dwellings, through the accommodation of second dwelling units.
- k) The Municipality 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 Municipality will encourage the development of low income housing geared towards seniors, which may include lower maintenance housing types such as condominiums and townhouses.

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- m) The Municipality 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.
 - n) The Municipality may designate certain areas or the Municipality as a whole, as a Community Improvement Area to facilitate the use of grants or loans to support the development of affordable housing.
 - o) In accordance with Section 8.3.2.4, the Municipality may consider increases in the height and density of development in exchange for community benefits related to the provision of affordable or rental housing.

4.3.1.4 ***Special Needs Housing***

Special needs housing includes any housing and facilities that are used by people who have special needs beyond economic needs, including but not limited to, needs such as mobility requirements or support facilities required for daily living. Examples of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly. The Municipality 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 Municipality:

- a) The Municipality will work with other agencies and local groups to assess the extent of the need of these forms of housing.
- b) The Municipality will support community agencies interested in pursuing additional funding from the Provincial government to address identified needs for special needs housing.
- c) The Municipality will support the distribution of special needs housing provided by community groups.
- d) *Group homes* will be generally located throughout the Urban Areas and Hamlet Areas. *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 Municipality will be satisfied that:

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- 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) Special needs housing and 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;
 - 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; and
 - iii) a variety of dwelling types and housing tenures are available to accommodate seniors housing needs and aging-in-place.
- g) Long-term care facilities that meet the needs of the community will be encouraged.
- h) The Municipality will endeavour to provide a barrier-free environment where possible.
- i) The Municipality 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 Municipality;
 - 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.

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- j) The Municipality will encourage new residential development to incorporate universal design and accessibility features to support aging in place.
 - k) The Municipality will ensure, through the review of Special Needs Housing proposals, in consultation with Conservation Authorities, that it be demonstrated that the lands are outside hazard lands and that will have safe and dry access at all times.

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 Municipality residents. The following policies apply to such housing forms, including accessory second dwelling units, garden suites, and mobile homes.

The following will be the policy of the Municipality:

- a) The Municipality will determine, at its sole discretion, when a housing form will be evaluated as a special housing form.
- b) The Municipality 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.

4.3.1.5.1 Second Dwelling Units

A second dwelling unit is a separate and complete accessory dwelling unit that is accessory to the principal dwelling on a property. A second dwelling unit may be contained within a single detached dwelling, semi-detached dwelling, and townhouse dwelling, or within an attached or detached accessory building or structure, associated with a single detached dwelling, semi-detached dwelling or townhouse dwelling. The Municipality will facilitate the provision of affordable housing by accommodating second dwelling units in accordance with the provisions outlined in the Municipality's Zoning By-Law, while ensuring that second dwelling units appropriately suit the character of the surrounding neighbourhood and are constructed in accordance with any applicable urban design polices and/or guidelines. Where permitted by the policies of Section 6.0 of this Plan, the following policies will apply to the development of second dwelling units:

The following will be the policy of the Municipality:

- a) A second dwelling unit may be contained within a single detached dwelling, semi-detached dwelling, and townhouse dwelling, or within an attached or detached accessory building or structure, associated with a single detached dwelling, semi-detached dwelling, or townhouse dwelling.

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- b) The Municipality will encourage the development of second dwelling units within existing residential areas and within new developments within plans of subdivision.
 - c) A maximum of two second dwelling units will be permitted on a lot, one within the principal dwelling and one within an accessory structure. A second dwelling unit will not be permitted in association with a garden suite or a mobile home on the same lot.
 - d) All second dwelling units shall be required to obtain a Building Permit.
 - e) The lot shall be appropriate for the proposed second dwelling unit and shall be compatible and suit the character of the surrounding neighbourhood, and exterior changes to the existing dwelling or structure will be minimal. To ensure that the proposed unit(s) are compatible, all proposals shall be subject to Site Plan Control.
 - f) The secondary dwelling unit will comply with the natural hazard and natural heritage policies of Section 5.0, and a second dwelling unit will not be permitted on an existing lot within natural hazard lands, including floodprone areas.
 - g) Full municipal sanitary sewage and water services shall be provided, to the satisfaction of the approval authority having jurisdiction, and in accordance with the policies of Section 7.3. Secondary dwelling units proposed with private water and sewer services may be considered on a case-by-case basis through a site-specific rezoning.
 - h) The secondary dwelling unit shall be located on lands with municipal road frontage.
 - i) The second dwelling unit will be in keeping with the zone provisions for the zone in which the principal dwelling is located.
 - j) The Municipality's Residential Intensification Strategy and Guidelines for second dwelling units will be addressed to the satisfaction of the Municipality in the review of applications for a second dwelling unit.
 - k) The Zoning By-law will establish provisions for the accommodation of second dwelling units to address such matters as:
 - i) compliance with all applicable health and safety standards, including but not necessarily limited to those set out in the Ontario Building Code, Ontario Fire Code, and Ontario Electrical Code;
 - ii) parking requirements for second dwelling units, including the number of additional required parking spaces, maximum size, location and number of driveways;
 - iii) requirements regarding the exterior appearance of the primary dwelling and/or second dwelling unit;
 - iv) the minimum yard setbacks, lot size, and/or landscaping requirements;
 - v) the minimum and maximum size and number of bedrooms;
 - vi) the appropriate servicing requirements;
 - vii) the location and number of entrances and accesses to the second dwelling unit;
 - viii) the minimum required outdoor amenity areas;

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- ix) the maximum lot coverage of a second dwelling unit; and
 - x) other matters as determined appropriate by the Municipality.
- l) The Municipality may implement a registration or licensing program to regulate second dwelling units.
 - m) The Municipality may consider the feasibility of providing grants or loans for the development of new second dwelling units which are rented at or below 80% Average Market Rent, as determined by the annual Canada Mortgage and Housing Corporation, for a minimum of 5 years.

4.3.1.5.2 Garden Suites

Garden suites are defined as a 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*.

The following will be the policy of the Municipality:

- a) A single *garden suite* may be permitted on a lot designated Agricultural, Residential or Hamlet, 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 a second dwelling unit or mobile home exists on the lot, as determined by the Municipality, 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 Municipality will be satisfied that:
 - i) a legitimate and justified need exists to accommodate a person, who is most likely disabled, elderly or retiring, or provides care, 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, and in accordance with Section 7.3;
 - iii) the *garden suite* will comply with the natural hazard and natural heritage policies of Section 5.0, and a *garden suite* will not be permitted on an existing lot within natural hazard lands, including a floodprone area;
 - iv) compliance with all applicable health and safety standards, including but not necessarily limited to those set out in the Ontario Building Code, Ontario Fire Code, and Ontario Electrical Code;
 - v) appropriate parking is provided to accommodate the use;
 - vi) appropriate minimum yard setbacks, lot size, and/or landscaping requirements are provided;
 - vii) in locating the *garden suite*, the Province's Minimum Distance Separation Formulae will apply, as appropriate;

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- viii) 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 surrounding area;
 - ix) the siting of the unit and any related features will have a minimal effect on light, view and privacy of adjacent yards;
 - x) an agreement has been entered into to ensure the use is temporary and will only be required for a limited period of time; and the unit must be removed once the legitimate need no longer exists.

- b) The Zoning By-law may establish general provisions for the accommodation of *garden suites*.

4.3.1.5.3 Mobile Homes and Mobile Home Parks

It is recognized in this Plan that mobile homes may be a suitable housing alternative in certain circumstances. The following policies 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 considered through a Local Comprehensive Review, in accordance with the policies of Section 3.3 a).
- 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.
- e) New mobile homes and mobile home parks will comply with the natural hazard and natural heritage policies of Section 5.0, and a mobile home and/or mobile home park will not be permitted on an existing lot within natural hazard lands, including a floodprone area.

4.3.2 **Campgrounds and Tent/Trailer Parks**

It is recognized that campgrounds and tent/trailer parks provide seasonal recreational and tourism opportunities to meet the leisure needs of the Municipality's residents and visitors. Campground and tent/trailer parks will accommodate uses for temporary accommodation only, including overnight tenting or camping where people are accommodated in tents, holiday trailers, recreational vehicles or similar facilities, but will not include the use of mobile homes or similar

structures intended for non-transient occupancy on a seasonal or permanent basis. The following policies will apply to the use of campgrounds and tent/trailer parks:

- a) The establishment of new campgrounds and tent/trailer parks will be permitted within the Recreational Commercial Designation, in accordance with the policies of Section 6.8, and subject to the following criteria:
 - i) campground and tent/trailer parks will be for temporary accommodation only and will not include the use of mobile homes or similar structures intended for non-transient occupancy on a seasonal or permanent basis;
 - ii) appropriate access to an existing public road is available;
 - iii) appropriate emergency access is available, particularly in erosion and floodprone areas;
 - iv) the site is suitable for the proposed use, an appropriate servicing is provided in accordance with the policies of Section 7.3;
 - v) the proposed use will not have an adverse impact on the surrounding land uses;
 - vi) adequate separation and vegetated screening is provided between the campground and tent/trailer park and surrounding uses;
 - vii) adequate on-site parking for campers and guests are provided;
 - viii) a development and/or site plan agreement will be required by the Municipality, including the approval of a site plan showing the location, topography, adjacent land uses, proposed buildings, layout and traffic circulation and servicing. The site plan shall also include a landscape plan that describes tree preservation and replacement measures as well as a stormwater management plan; and
 - ix) the zoning by-law amendment will establish zone regulations for the campground and tent/trailer park.

- b) The establishment of new campground and tent/trailer parks or the expansion of existing campground and tent/trailer parks within the Agricultural Area will only be considered through an amendment to this Plan, in accordance with the Agricultural Area policies in Section 3.3.11 and, subject to the criteria in Section 4.3.2 a).

- c) Where the expansion of an existing campground and tent/trailer park is proposed within a Settlement Area, or where the conversion of an existing campground and tent/trailer park is proposed within a Settlement Area to accommodate mobile or modular homes or similar structures intended for non-transient occupancy on a seasonal or permanent basis, an amendment to the Zoning By-law will be required, and subject to the following criteria:
 - i) appropriate access to an existing public road is available;
 - ii) appropriate emergency access is available, particularly in floodprone areas;
 - iii) the site is suitable for the proposed use, an appropriate servicing is provided in accordance with the policies of Section 7.3;
 - iv) the proposed use will not have an adverse impact on the surrounding land uses;
 - v) adequate separation and vegetated screening is provided between the campground and tent/trailer park and surrounding uses;
 - vi) adequate on-site parking for campers and guests are provided;

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- vii) a development and/or site plan agreement will be required by the Municipality, including the approval of a site plan showing the location, topography, adjacent land uses, proposed buildings, layout and traffic circulation and servicing. The site plan shall also include a landscape plan that describes tree preservation and replacement measures as well as a stormwater management plan; and
 - viii) the zoning by-law amendment will establish zone regulations for the campground and tent/trailer park.

4.3.3 **Community Services & Facilities**

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

- 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 Municipality may facilitate the provision of social infrastructure through bonusing policies that allow for increased development density where a developer provides certain facilities.
- d) The Municipality 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 Municipality will be supported.
- g) The Municipality will encourage the provision of libraries to provide important cultural and community resources for learning, research and community activities.

4.3.4 **Recreation**

The provision of a variety of recreational opportunities is critical to maintaining healthy communities in the Municipality of Lakeshore. The Plan strives to ensure that sufficient recreational, open space and park facilities are provided within the Municipality to meet the leisure needs and desires of the present and future residents, businesses, as well as visitors to the Municipality. The lakeshore provides the Municipality 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 Municipality:

- a) The Municipality will promote appropriate recreational development in parks, open spaces, along the lakeshore and other similar areas of the Municipality 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 Municipality 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 Municipality will be maintained for public access to the lakeshore and for public access to beaches on publicly owned properties.
- d) The Municipality will encourage private recreation development to complement public recreational opportunities, and encourage and support involvement by private recreation groups within the area.
- e) The Municipality will assess the feasibility of acquiring private land along the lakeshore for public park or open space uses.
- f) The Municipality will promote the provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses.

4.3.4.1 **Parks & Open Space**

The Municipality's Parks and Recreation Master Plan provides a parks classification system for the planning, development and delivery of parks and open space resources, and the connectivity of the parks system. The Parks and Recreation Master Plan supports the community of parks concept where each population centre is represented by a high quality community park, along with other classifications of parks as a strategy to manage resources while providing access and choice for the community. The parks classification system will respond to and support the

various parks and recreational needs of the Municipality. The Parks and Recreation Master Plan establishes the following park classifications:

- Regional Parks;
- Community Parks;
- Neighbourhood Parks;
- Parkettes; and
- Trails/Greenway.

The Municipality will carry out programs to acquire new parks and trails, 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 Parks and Recreation Master Plan provides the Municipality with an incremental growth strategy to maintain the desired level of service of parks found throughout the Municipality.

The following will be the policy of the Municipality:

- a) The Municipality 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 Municipality'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 Municipality'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 Municipality's parks and open spaces will provide venues to protect and conserve valued natural 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 Municipality'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 Municipality'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.
- i) The Municipality will consider opportunities for the promotion and implementation of stormwater management best practices within the Municipality's parks and open spaces where appropriate. Consideration should be given to stormwater attenuation and re-use and low impact development measures to control the quantity and quality of stormwater.

4.3.4.1.1 Regional Parks

The following will be the policy of the Municipality:

- a) Regional Parks will be recognized and developed as destination parks that strengthen and support the unique and rich quality of life for all residents and visitors to enjoy. Regional Parks are intended to draw individuals far beyond their neighbourhoods to interact with other individuals in the community. Regional Parks are intended to leverage the unique natural assets along with Municipality sports infrastructure. As such, Regional Parks may be programmed to reach far beyond the boundaries of a community to provide a venue for regional programs, events, and sporting activities.
- b) The Municipality will support the development of the Lakeshore Regional Park (Lakeshore Park West Beach / Lakeview Park / Belle River Marina) and the Atlas Tube Centre as a Regional Parks.
- c) The Municipality will support the preparation of a parks site plan for Regional Parks to maximize the parks potential.

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- d) Regional Parks are year-round parks that provide all-season access to the residents. Regional Parks will consider the following elements:
- i) Incorporate universally accessible guidelines
 - ii) Tree canopy
 - iii) Seating (choices)
 - iv) Trash/Recycling
 - v) Play equipment (alternative opportunities)
 - vi) Tables (picnic or café)
 - vii) Parking
 - viii) Restrooms
 - ix) Internal Trail
 - x) Splash pad water feature
 - xi) Pavilion
 - xii) Support marina programming or recreational programming

4.3.4.1.2 Community Parks

The following will be the policy of the Municipality:

- a) The Community Park is at the core of the community of parks concept. The concept builds off the identification of the population centres to provide equitable access to recreation across the Municipality of Lakeshore. These parks lie at the hearts of the individual communities found throughout the Municipality.
- b) Community Parks are year-round parks that provide all-season access to the residents. All Community Parks will include the following elements:
 - i) Incorporate the 2016-2018 Accessibility Plan
 - ii) Tree canopy (sense of place)
 - iii) Seating (choices – benches/boulders)
 - iv) Trash/recycling
 - v) Tables (picnic or café)
 - vi) Play equipment (including alternative play opportunities)
 - vii) Internal trails (if warranted)
 - viii) Restrooms (closed during the winter months)
 - ix) Exercise equipment
 - x) Pavilions
 - xi) Splash Pads
 - xii) Parking

4.3.4.1.3 Neighbourhood Parks

The following will be the policy of the Municipality:

- a) Neighbourhood Parks are larger than parkettes with additional program components. There is also a secondary Neighbourhood Parks with Sports classification. Aside from the organized sports opportunities, the parks provide the same access to recreation and leisure for their surrounding neighbourhoods.

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- b) Neighbourhood Parks are seasonal parks that are closed during the winter months. All Neighbourhood Parks will include the following elements:
 - i) Incorporate the 2016-2018 Accessibility Plan
 - ii) Tree canopy (sense of place)
 - iii) Seating (choices – benches/boulders)
 - iv) Trash/recycling
 - v) Tables (picnic or café)
 - vi) Play equipment (including alternative play opportunities)
 - vii) Internal trails (if warranted)

 - c) The Neighbourhood Parks with sports classification also includes the following
 - i) Sports fields

4.3.4.1.4 Parkettes

The following will be the policy of the Municipality:

- a) Parkettes are small parks that provide access to open space, respite, and water access.

- b) Parkettes are seasonal parks that are closed during the winter months. All Parkettes will include the following elements:
 - i) Incorporate the 2016-2018 Accessibility Plan
 - ii) Tree canopy (sense of place)
 - iii) Seating (choices – benches/boulders)
 - iv) Trash/recycling

4.3.4.1.5 Trails/Greenway

The Parks Master Plan recognizes the importance of county-wide linkages and the start of a trail system that has the potential to be a significant greenway linking together a large portion of the Municipality. Roadside trails, off-road trails, and closed railway corridors can link neighbourhoods to parks, schools, and other community assets. The trails themselves become recreating opportunities for the residents, as well as visitors to the community. The network of multi-use trails, nature trails, footpaths and cycling routes are a critical component of the Community of Parks concept because they connect the assets while simultaneously providing recreational opportunities and choices for the residents.

The following will be the policy of the Municipality:

- a) The Municipality will support the development of the County Wide Active Transportation Study (CWATS). As identified in the Parks Master Plan, with a few strategic proposed connections and pathway upgrades, these existing routes can provide viable recreation and connectivity for all users. The proposed trail system occupies two fundamentally different environments – those lying within existing road right-of-ways and those developed within off-road “green” corridors.

- b) Trails/Greenways are year-round facilities that provide all-season access. Trails/Greenways will include the following elements:

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- i) Incorporate the 2016-2018 Accessibility Plan
 - ii) Tree canopy (sense of place)
 - iii) Seating (choices – benches/boulders)
 - iv) Trash/recycling
- c) The Municipality will support an active transportation system and the implementation of the Municipality’s Parks Master Plan and the Trails Master Plan which provides a critical connectivity function, linking the Community of Parks to other key amenities, heritage sites, conservation areas and attractions in the Municipality of Lakeshore.
- d) In addition to providing recreation opportunities for the community, the development of off-road corridors promotes linkages for habitat and naturalization.

4.3.4.2 ***Linked Open Space & Natural Heritage System***

The Municipality will support the preparation and implementation of a Natural Heritage System to create a linked parks and open space and natural heritage system, where possible. The Essex Region Biodiversity Conservation Strategy and Essex Region Natural Heritage System Strategy provide guidance with respect to the restoration and enhancement of the natural heritage system.

The following will be the policy of the Municipality:

- a) In addition to those options for the acquisition of land outlined in Section 8.3.9, the Municipality may create linked open spaces through the integration of:
 - i) Natural Heritage Features in public ownership, including land owned by the Municipality, 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, utility and hydro 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 Municipality there are a number of railroad transportation corridors. Should any of these corridors become surplus to the railroad, the Municipality will investigate the feasibility of acquiring portions of the railway corridors for linear trail systems.
- c) Throughout the Municipality there are a number of navigable waterways flowing into Lake St. Clair. The Municipality supports the provision of recreational trail opportunities and access along these waterways.

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- d) Design principles should be established to accommodate parking at strategic locations along the linked system.
 - e) The Municipality 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 Municipality to be significant to the linear park system will be retained in public ownership for the purpose of implementing a linear park system.

4.3.4.3 **Parkland Dedication**

The Municipality 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, and in accordance with the Municipality's Parkland Dedication By-law.
- b) Where land is to be developed or redeveloped for residential purposes, the Municipality 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 or cash-in-lieu at a rate of one hectare per 500 units or such lesser rate as may be specified in the by-law.
- c) Where land is developed or redeveloped for industrial, institutional or commercial purposes, the Municipality 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 is developed or redeveloped for mixed use development, the Municipality 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) the land to be developed for residential purposes, in accordance with Section 4.3.3.3 b); and
 - ii) the land to be developed for commercial, industrial, or institutional purposes, in accordance with Section 4.3.3.3 c).
- e) Where land is to be used for any use other than residential, industrial or commercial purposes, the Municipality 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 or redevelopment.

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- f) The Municipality will only accept parkland dedication land resources under the following circumstances:
- i) the lands generally 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;
 - iii) the lands are not identified as hazard lands, significant woodlots, ravine lands, natural heritage system lands and associated buffers, easements, vista blocks, solely the attenuation portion of stormwater management ponds and related undevelopable lands; and
 - iv) the lands will be free of all encumbrances, including but not limited to such easements which the Municipality, in its sole and absolute discretion, is not prepared to accept and will be free of any contamination, including but not limited to any toxic, noxious or dangerous contaminants, and will otherwise be in a condition satisfactory to the Municipality.
- g) The Municipality may accept cash-in-lieu of the land dedication to be paid into a special account and used as specified in the *Planning Act*. While the Municipality discourages cash-in-lieu for parkland dedication, the Municipality may only 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, as identified in Section 4.3.3; and/or
 - iv) where the Municipality 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.
- h) 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 Municipality will be conveyed in a physical condition satisfactory to the Municipality, 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.
- i) As a condition of development approval, a proponent will be required to provide a park facilities design satisfactory to the Municipality 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.

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- j) The Municipality will support the implementation of the Parks Master Plan that examines the need for parkland in the Municipality, and a review of the Municipality's payment-in-lieu of parkland dedication or alternative parkland dedication requirements.

4.4 Economic Environment

An Economic Development Strategy has been prepared for the Municipality of Lakeshore which identifies action plans to achieve a healthy and prosperous economic future for the Municipality. 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 Municipality encourages economic development in a manner that balances social, cultural, natural environment and other initiatives.

Manufacturing in the Municipality is diversifying and while the automotive industry remains important the Municipality is moving towards higher value-added automotive industries. The Municipality 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 Municipality'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 Municipality'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 Municipality:

- a) The Municipality will promote opportunities for economic activity by adopting different strategies for different parts of the Municipality 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.

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- 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 Municipality supports the use of Community Improvement Plans to proactively stimulate community improvement, rehabilitation and revitalization of areas in need of improvement.
 - g) The Municipality 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 Municipality in terms of wind energy production. In accordance with the policies of this Plan, the Municipality will support and promote wind energy generation, where appropriate.

4.4.2 **Tourism**

The Municipality may prepare a tourism strategy to promote tourism development. The Municipality 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 Municipality:

- a) The Municipality may develop a tourism strategy to identify the Municipality's tourism assets and opportunities to promote and enhance tourism.
- b) The Municipality 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 Municipality may promote the maintenance and improvement of existing tourism and tourist destination-oriented uses in the Municipality and encourage the establishment of additional tourism opportunities in the form of accommodation facilities, and appropriate entertainment and recreational attractions.
- d) The Municipality 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;

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- 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 Municipality 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 Municipality.
- f) The Municipality 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 Municipality:

- a) The Municipality may undertake a comprehensive retail strategy for the Municipality 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 Municipality, development proposals for major commercial and/or retail development are required to undertake the preparation of a Retail Market Study to the Municipality'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 Municipality 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 Municipality to assist the Municipality in determining the impact the proposed retail use(s) will have on the planned function of the Municipality'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 Municipality'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 Municipality that the proposed retail uses will not have a deleterious impact on the planned function of the Municipality's commercial structure, particularly the Primary Nodes, Mixed Use Nodes, and County Road 22 Mixed Use Corridor; and
 - v) enable the Municipality 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 Municipality in engaging peer review consultants to evaluate the proposal and supporting submissions will be reimbursed by the proponent.

At the discretion of the Municipality, based on advice from the Municipality's peer review consultant(s), the preceding study requirements may be varied or waived where the Municipality 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 Municipality 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 Municipality strives to protect natural resources and natural heritage features and areas. It is a priority of the Municipality to ensure the sustainable use of resource assets, to protect and enhance significant natural heritage features and areas, and to reduce the risk to public safety and property from hazards, such as flooding, erosion, unstable slopes and human-made hazards.

5.1 Water Resources

The Municipality falls within several unique watersheds that are managed by two Conservation Authorities. 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 Municipality contains two major watershed systems. The mouth and delta of the Thames River drains to Lake St. Clair in the northeast portion of the Municipality, adjacent to Lighthouse Cove. Various streams in the eastern quarter of the Municipality 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 Municipality. 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 "B2" to this Plan illustrates the boundaries of each Conservation Authority's jurisdiction.

The following will be the policy of the Municipality:

- a) The Municipality 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 Municipality 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 Municipality 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 Municipality will recognize that development and land use change will require consideration of other matters such as natural hazards as well as economic and growth management factors that may not be addressed in a watershed or subwatershed plan. To the extent feasible, the Municipality will support the Conservation Authorities in the preparation and implementation of watershed and subwatershed plans.
- c) The Municipality will support flood control management programs of the Conservation Authorities.
- d) The Municipality will encourage the protection and restoration of Natural Heritage Features to improve water quality and quantity.

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- 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 Municipality, the relevant Conservation Authority and the County, in consultation with the Province.
 - f) The Municipality will require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The Municipality 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 as well as the Windsor/Essex Region Stormwater Management Standards Manual.
 - g) A Permit To Take Water (PTTW), in accordance with the *Ontario Water Resources Act* will be required from the MECP 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 Municipality 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 Municipality. Approvals may also be required from other relevant agencies.
 - h) In cooperation with the private sector and the community, the Municipality 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 Municipality will work with various agencies to develop a septic system management program for the Municipality. 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 Source Protection

Within the Municipality of Lakeshore, two Source Protection Plans have been prepared in compliance with the *Clean Water Act, 2006*. These plans are the Thames-Sydenham and Region Source Protection Plan and the Essex Region Source Protection Plan. Both plans have been approved by the MECP and are now in effect and where they may be updated from time to time, the Municipality will ensure this Official Plan, and associated Zoning By-law, implements these updated plans in a timely manner. In addition to the policies of this Section, reference

should be made to applicable Source Protection Plans for specific policies that may apply to the vulnerable areas which may restrict or prohibit certain land uses or activities within those areas. The Source Protection Plans and associated technical studies (Assessment Reports) look at the current and future sources of municipal residential drinking water, identify the potential threats to these sources and include policies for actions and programs to reduce or eliminate these risks.

The *Clean Water Act* requires that all municipal decisions under the *Planning Act* or *Condominium Act* made by municipal planning authorities must conform to significant threat policies and have regard for other policies in an approved Source Protection Plan and Assessment Report, as amended from time to time. Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat is required to conform to all applicable Source Protection Plan policies and, as such, may be prohibited, regulated or otherwise restricted by those Source Protection Plan policies. According to the Source Protection Plans, the most prevalent type of Significant Drinking Water Threat in the Essex Region is the storage, handling, or transportation of large volumes of liquid fuels. Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all development applications or proposed land use changes proposing the handling and storage of fuel on non-residential lands within the Event Based Area storage, fuel transportation or industrial uses to the Risk Management Official (RMO) in keeping with the Written Direction provided by the RMO which may be updated from time to time. Where the Source Protection Plan does not require an RMO notice, the local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.

The policies apply to 'vulnerable areas' as identified in the technical studies (Assessment Report) for the Source Protection Plan, which include:

- 'Intake Protection Zones' (IPZs) and 'Event Based Areas' (EBA);
- 'Highly Vulnerable Aquifers' (HVAs); and
- 'Significant Groundwater Recharge Areas' (SGRAs).

These vulnerable areas are identified on Schedules "B1-1", "B1-2", and "B1-3" of this Official Plan. This mapping is intended to reflect the mapping in the approved Source Protection Plan (SPP) and Assessment Report (AR) which may be revised or updated from time to time without the need for an amendment to this Plan. In the case of a discrepancy, the mapping in the most recently approved SPP and AR shall take precedence.

5.1.1.1 Intake Protection Zones and Event Based Areas

Intake Protection Zones (IPZs) are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes.

The Event Based Area (EBA) is an area where modeling has demonstrated that a spill from a specific activity can or could cause deterioration to the raw water quality at the drinking water system. If the modeling test is met, the activity is deemed a significant drinking water threat and becomes subject to Source Protection Plan policies. For each intake in the Essex Region, the EBA is the combination of IPZ-1, IPZ-2 and IPZ-3 for modeled activities (i.e. fuel spill with 2%

benzene, and specific volume criteria for each EBA dependant on modeling results) to which associated significant drinking water threat policies apply. Some areas of very high uncertainty may be included in the IPZ-3, which are acceptable under Rule 68 (Part VI.5) (Technical Rules: Assessment Report CWA, 2006), but are excluded from the EBA (Rule 130 (Part VI.5) (Technical Rules: Assessment Report CWA, 2006). Future studies may improve the certainty of these areas, which could be added to the EBA in an updated Assessment Report.

Reference must be made to the Source Protection Plan and accompanying Assessment Report for more complete details and explanations regarding these IPZs, the threats to drinking water sources, and associated policies.

Schedule “B1-1” identifies the Intake Protection Zones within the Municipality, which include:

- **Intake Protection Zone 1 (IPZ-1)** is the area immediately surrounding the intake crib, defined for Type D (Lake St. Clair) intakes by a one kilometre radius centered on the crib of the intake. Where the IPZ-1 abuts land it shall only include a setback on the land that is the area of land that drains into the surface water body measured from the high water mark and is not more than 120m or a Conservation Authority Regulation Limit whichever is greater.
- **Intake Protection Zone 2 (IPZ-2)** is the area of water and land that is outside IPZ-1 and accounts for the influence of nearby watersheds, where runoff may pick up pollutants and affect water quality in the near-shore water at municipal intakes. IPZ-2 areas generally encompass areas within a few kilometres of the intakes and are based on a two-hour time of travel for the flow of water along the shores and in the tributary watersheds.
- **Intake Protection Zone 3 (IPZ-3)** extends outward from IPZ-2, and covers larger watershed areas generally within a specific time of travel related to the transport of specific contaminants reaching the intake. IPZ-3 includes all rivers and tributaries where modelling demonstrates that contaminant spills may reach the intake during an extreme rainfall or wind storm event.

All IPZs also include lands within 120 metres of the top-of-bank of the subject waterways, or the flood plain regulated area, whichever is greater.

- a) The following uses and activities shall be regulated and require the preparation of a risk management plan to the satisfaction of the Risk Management Official (RMO), in accordance with Section 58 of the *Clean Water Act*:
 - i) For above grade handling and storage of liquid fuels (containing benzene) in quantities of 15,000 L or greater in Belle River IPZ-1, IPZ-2 and IPZ-3 and Stoney Point IPZ-1, IPZ-2 and IPZ-3, the Risk Management Plan may include, but is not limited to, details concerning installation, operation and regular inspection of fuel storage tanks, how fuel is contained, the location of fuel, and how fuel is stored. The Risk Management Official will have discretion as to what constitutes a satisfactory Risk Management Plan.

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- b) Within Belle River IPZ-1, the application and/or storage of agricultural source material (ASM) or non-agricultural source material (NASM) to land, storage of road salt, and storage of snow shall be prohibited.
 - c) Within Stoney Point IPZ-1, IPZ-2 and IPZ-3, and Belle River IPZ-1, IPZ-2 and IPZ-3, the handling and storage of liquid fuels (containing benzene) in quantities greater than 15,000 L shall be restricted in accordance with Section 59 of the *Clean Water Act* for any commercial, agricultural and industrial land uses.

Within these designated areas, a notice from the Risk Management Official in accordance with Section 59(2) of the *Clean Water Act* shall be required prior to approval of any *Planning Act* or Building Permit application. Despite the above policy, a Risk Management Official may issue written direction specifying the situations under which a planning authority or building official may be permitted to make the determination that a site specific land use is not designated for the purposes of Section 59. Where such direction has been issued, a site specific-land use that is the subject of an application for approval under the *Planning Act* or for a permit under the Building Code Act is not designated for the purposes of Section 59, provided that the planning authority or building official, as the case may be, is satisfied that:

- The application complies with the situations specified in the written direction from the Risk Management Official; and
- The applicant has demonstrated that a significant drinking water threat activity designated for the purposes of Section 57 or 58 will not be engaged in by the application.

5.1.1.2 Groundwater

The protection, conservation and careful management of groundwater resources is necessary to meet the present and future needs of residents, businesses, visitors, and the flora and fauna within the natural environment. Surface and groundwater must be protected across the County and the Municipality to ensure a clean water baseflow for creeks, streams, ponds and wetlands, and to ensure the protection of the quality and quantity of drinking water sources.

Schedules B1-2 and B1-3 identify the Highly Vulnerable Aquifers (HVA) and Significant Groundwater Recharge Areas (SGRA) within the Municipality.

Development and site alteration that may be a significant threat will only be permitted within an HVA or SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no negative impact on the HVA or SGRA.

The following will be the policy of the Municipality:

- a) The Municipality will support initiatives of the Ministry of the Environment, the County of Essex and local municipalities, 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. The Municipality will also support other regional efforts to undertake a follow-up study in partnership with the County of Essex to address groundwater management issues in the region.

- b) Development and site alteration that may be a significant threat will only be permitted within an HVA or SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no negative impact on the HVA or SGRA.
- c) The Municipality of Lakeshore includes areas identified as HVAs which includes areas within and surrounding the Urban Area of Lighthouse Cove as identified on Schedule B1-2. The following regulations shall be applied to HVAs and SGRAs:
- i) To reduce the risk to drinking water sources from septic systems or septic system holding tanks in vulnerable areas where this activity is a low or moderate threat, the local approval agency of septic systems, under the authority of the Ontario Building Code (municipalities or the Board of Health), shall encourage including these septic systems as part of the discretionary maintenance inspection program outlined in O. Reg. 315/10. In considering these discretionary inspections, priority should be given to areas where septic systems are known to fail and where older septic systems are predominant. Further, special consideration should also be given to maintenance inspection of septic systems which are moderate or low drinking water threats in vulnerable areas where nitrate or phosphorous discharged from septic systems may contribute to identified issues. In accordance with the Municipality of Lakeshore Class Environmental Assessment Environmental Study Report for Lakeshore Eastern Communities Sewage Works, November 2012, the long term solution for servicing Lighthouse Cove are municipal sewage services.
- d) The Municipality of Lakeshore includes areas identified as SGRAs which includes areas of high, medium and low vulnerability within and surrounding Lighthouse Cove; and low vulnerability within and surrounding the Hamlet Area of North and South Woodslee, the intersection of Highway 401 and County Road 25, and the Essex Fringe Urban Area, as identified on Schedule "B1-3". For SGRA's located within and surrounding the Urban Area of Lighthouse Cove, the regulations for HVAs listed in subsection c) shall apply. For SGRA's located within and surrounding the Hamlet Area of North and South Woodslee, the intersection of Highway 401 and County Road 25, and the Essex Fringe Urban Area, the following regulations shall apply:
- i) The Municipality will support the Conservation Authorities in education and outreach programs, directed to all landowners and residents with private wells in HVAs, SGRAs and other rural areas, to promote best management practices to help address various potential threats to groundwater sources of drinking water, raise awareness of drinking water threats, and provide education on the vulnerability of HVAs, SGRAs and abandoned or poorly maintained wells as transport pathways of contamination to sources of groundwater, for existing and future uses listed below:
 - handling and storage of road salt;

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- storage of snow;
 - handling and storage of fuel;
 - waste disposal sites;
 - establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage;
 - handling and storage of a dense non-aqueous phase liquid;
 - handling and storage of an organic solvent;
 - application of pesticide to land;
 - handling and storage of pesticide;
 - application of commercial fertilizer to land;
 - handling and storage of commercial fertilizer;
 - application of agricultural source material to land;
 - storage of agricultural source material;
 - management of agricultural source material;
 - application of non-agricultural source material to land; and
 - handling and storage of non-agricultural source material.

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 Municipality:

- a) The Municipality, where possible, will require the preservation and enhancement of natural stream bank vegetation and promote suitable erosion control methods.
- b) The Municipality will ensure that the construction of tile outlets do not contribute to erosion along watercourses.
- c) The Municipality will notify the Source Protection Authority and Source Protection Committee of proposals to engage in an activity that may result in the creation of a new transport pathway or the modification of an existing transport pathway, which may include, but not be limited to a modification to a surface watercourse or municipal drain.
- d) The Municipality 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.

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- e) The Municipality will ensure that best management practices and interim measures are utilized during construction projects adjacent to watercourses to reduce sedimentation and erosion.
 - f) The Municipality, in consultation with the relevant Conservation Authority and the Ministry of Natural Resources and Forestry (MNRF) will establish an appropriate setback from the top of bank, and outside of any associated floodway, for all new development and expansions in order to prevent hardship from flooding, erosion, improve water quality, enhance wildlife corridors and protect fish habitat.
 - g) The Municipality, through the submission of development applications and in consultation with the relevant Conservation Authority and MNRF, will acquire at no cost to the Municipality, an easement along all watercourses where appropriate and feasible, to ensure their long-term protection. These lands, may, over time as determined through various studies, facilitate access for public trails provided there is adequate separation from adjacent residential uses.
 - h) The Municipality 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 Environment

The Municipality supports the establishment of a natural heritage system, which builds upon the natural heritage system established in the County Official Plan and the Essex Region Natural Heritage System Strategy, 2013 (ERNHSS). The policies of this Plan support a combined natural heritage system approach which includes protection for both a natural heritage system as well as natural heritage features and areas that are located outside of the system. This approach will aid in promoting the restoration and enhancement of features and linkages within the natural heritage system and also provides protection for natural heritage features located outside the natural heritage system.

Natural heritage features and areas are those lands identified as Provincially Significant Wetlands, Significant Habitat of Endangered Species and Threatened Species, 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 Municipality will work to conserve, restore and enhance the natural heritage system and natural heritage features and functions, wherever possible. The natural heritage features that comprise the natural heritage system are identified in Table 5.1, and where appropriate, mapped on Schedule B2-1 to this Plan. The natural heritage features and components which comprise the natural heritage system include:

- Lands designated Natural Conservation on Schedule C. The types of natural features which are designated Natural Conservation are identified on Schedule B2-1, where appropriate, and include Provincially Significant Wetlands, significant habitat of endangered species and threatened species, and significant natural heritage features including Environmentally Significant Areas and Significant Valleylands, and high priority natural heritage features in the Municipality that meet 5 out of 11 of the natural heritage feature criteria outlined in the ERNHSS;
- Lands identified as Natural Environment Overlay on Schedule B2-1 which include secondary priority natural heritage features in the Municipality that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS; and
- Lands identified as Restoration Opportunities Overlay on Schedule B2-1 which include primary and secondary restoration lands that meet either 3 to 5 (Primary) or 1 to 2 (Secondary) of the 11 natural heritage feature criteria outlined in the ERNHSS.

Delineation of certain natural heritage features is based on data provided by the Ministry of Natural Resources and Forestry (MNRF), the Essex Region Conservation Authority (ERCA) and the Lower Thames Valley Conservation Authority (LTVCA). 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 and adjacent lands. 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 5.2.6.

Table 5.1 Natural Environment Types

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Significant wetlands and significant coastal wetlands	MNR	Delineating wetlands or reviewing and approving the works of others in accordance with the Ontario Wetland Evaluation System.	High Priority existing feature within the Natural Conservation designation on Schedule "C", and Provincially Significant Wetlands on Schedule "B2-1".	Development and site alteration shall not be permitted within significant wetlands and significant coastal wetlands.
Significant habitat of endangered species and threatened species	DFO, MNR	Delineating, describing, reviewing and approving the work of others or establishing methods such as training and standards that ensures the work of others will be acceptable.	Not specifically mapped on Schedules.	Development and site alteration shall not be permitted within significant habitat of endangered species and threatened species.
Lands adjacent to significant wetlands and significant coastal wetlands and significant habitat of endangered species and threatened species	County of Essex, Conservation Authorities or local municipalities	A 120 metre adjacent lands width is identified from the extent of the identified feature.	Lands adjacent to significant wetlands mapped on Schedule "B2-1". Lands adjacent to significant habitat of endangered species and threatened species not specifically mapped on Schedules.	Development and site alteration shall not be permitted on adjacent lands to the natural heritage feature and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an EIA that there will be no negative impacts on the natural features or on their ecological functions.

Table 5.1**Natural Environment Types**

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Significant Terrestrial Feature	County of Essex, local municipalities, or relevant Conservation Authority	Determined in accordance with the ERNHSS.	High Priority existing feature within the Natural Conservation designation on Schedule "C", and Significant Terrestrial Feature on Schedule "B2-1".	Development and site alteration shall not be permitted.
Other High Priority Existing Natural Features	County of Essex through Municipality, or relevant Conservation Authority	Existing natural features that satisfied between 5 and 11 criteria in the Essex Region Natural Heritage System Strategy.	High Priority Existing Feature within the Natural Conservation designation on Schedule "C" and as categorized on Schedule "B2-1".	Development and site alteration shall not be permitted.
Aquatic and Fish habitat	MNRF and Fisheries and Oceans Canada	Identified through preconsultation with MNRF and Fisheries and Oceans Canada.	High Priority or Secondary Priority Existing Feature. Located within the areas identified on Schedules "C" and "B2-1". Aquatic and fish habitat is not specifically mapped on Schedules.	Pre-consultation with MNRF and Fisheries and Oceans Canada based on approved criteria.

Table 5.1 Natural Environment Types

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Significant Woodlands	County of Essex through Municipality, relevant Conservation Authority	All woodlands 2 hectares in size or larger using the size criteria recommended in the Natural Heritage Reference Manual (MNRF, 2010) and as per the Essex Region Natural Heritage System Strategy. Smaller woodlands may be considered significant if they exhibit composition, age or quality that is uncommon in the municipality or the region.	High Priority or Secondary Priority Existing Feature located within the designations on Schedules "C" and "B2-1".	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions.
Significant areas of natural and scientific interest	MNRF	In accordance with the areas of natural and scientific interest confirmation process. Policies apply to both Earth and Life science areas of natural and scientific interest.	High Priority or Secondary Priority Existing Feature located within the designations on Schedules "C" and "B2-1".	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions.

Table 5.1**Natural Environment Types**

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Significant wildlife habitat	County of Essex through MNRF, Municipality, relevant Conservation Authority	Using criteria recommended in the Natural Heritage Reference Manual (MNRF, 2010), the Significant Wildlife Habitat Technical Guide and the EcoRegion Criteria Schedules and using Ecological Land Classification. Significant wildlife habitat has been divided into four broad categories: 1) seasonal concentration areas, 2) rare vegetation communities or specialized habitats for wildlife, 3) habitat of species of conservation concern (excluding the habitat of endangered and threatened species), and 4) animal movement corridors.	Not specifically mapped on Schedules.	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions.
Significant valleylands	County of Essex through Municipality, relevant Conservation Authority	Significant valleyland features are identified utilizing guidelines provided in the Natural Heritage Reference Manual (MNRF, 2010) and are based on the following features: 1) more or less continuous natural areas providing connections within the watershed; 2) contains a diversity of native species, natural communities and landscapes; and 3) provides ecological functions such as habitat, passage, refuge, hydrological flow, and buffering from adjacent areas.	High Priority or Secondary Priority Existing Feature located within the designations on Schedules "C" and "B2-1".	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions.

Table 5.1 Natural Environment Types

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Identified significant existing natural heritage feature	County of Essex through MNRF, Municipality, relevant Conservation Authority	Existing natural feature that satisfied between 1 and 4 of 11 criteria in the Essex Region Natural Heritage System Strategy.	Secondary Priority Existing Feature located within designations on Schedule "B2-1".	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions.
Adjacent lands to significant woodlands, significant valleylands, Provincial and regional ANSIs, and significant wildlife habitat and Significant Terrestrial Feature, aquatic species at risk, and other high priority existing natural features	County of Essex through MNRF, Municipality, relevant Conservation Authority	A 120 metre adjacent lands width is identified and referenced for all natural heritage features with the exception of Earth Science ANSI which have a recommended 50 metre adjacent lands width.	Not specifically mapped on Schedules.	Development and site alteration shall not be permitted on adjacent lands to the natural heritage feature and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an EIA that there will be no negative impacts on the natural features or on their ecological functions.

Table 5.1**Natural Environment Types**

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Unevaluated Wetlands and Locally Significant Wetlands	MNRF, relevant Conservation Authorities	<p>Unevaluated wetlands can be identified using ELC or OWES.</p> <p>Unevaluated wetlands can be identified through processes such as EIA's or candidate natural heritage studies. Once an unevaluated wetland is identified, the next step is to complete a wetland evaluation. The wetland evaluation will result in a determination of significance for the wetland, i.e., Provincially or locally significant. The methodology used to determine significance of wetlands is the Ontario Wetland Evaluation System. Wetlands can be identified and evaluated by MNRF staff or other qualified professionals provided that they use the approved OWES methodology and have received MNRF training in the use of the Province's wetland evaluation system. All wetland evaluations must be sent to MNRF regardless of the preliminary determination of significance. The MNRF is responsible for reviewing and approving all wetland evaluations.</p>	Not specifically mapped on Schedules.	<p>Development and site alteration will not be permitted until the significance of the feature has been determined using OWES.</p> <p>For wetlands determined to be Provincially Significant Wetlands the policies of this Plan will apply.</p> <p>For wetlands that have been determined to be locally significant, development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or their ecological functions.</p>
Prioritized Restoration Opportunities (Primary)	County of Essex through Municipality, relevant Conservation Authority	Prioritized Restoration Opportunities that satisfied between 3 and 5 criteria in the Essex Region Natural Heritage System Strategy.	Primary Prioritized Restoration Opportunity as identified on Schedule "B2-1".	<p>Provide for a focused approach towards the implementation of the natural heritage system.</p> <p>Supported options may include focused land securement, stewardship activities, and volunteer restoration.</p>

Table 5.1 Natural Environment Types

Natural Heritage Feature	Agencies Determining Significance	Criteria and Methods used to Determine Significance	Schedule	Policies and conditions under which development or site alteration may be permitted
Prioritized Restoration Opportunities (Secondary)	County of Essex through Municipality, relevant Conservation Authority	Prioritized Restoration Opportunities that satisfied 1 or 2 criteria in the Essex Region Natural Heritage System Strategy.	Secondary Prioritized Restoration Opportunity as identified on Schedule "B2-1".	Provide for a focused approach towards the implementation of the natural heritage system. Supported options may include focused land securement, stewardship activities, and volunteer restoration.

5.2.1 Natural Heritage Features

The following will be the policy of the Municipality:

- a) Natural Heritage Features identified on Schedule "B2-1" 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 OWES or EIA is undertaken and approved by the agency having authority.
- b) Development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s), whether illustrated on Schedule "B2-1" 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.
- c) Subject to Provincial and Federal statutes, the policies of this Plan will not prevent the continuation of existing agricultural uses, but will not include new field tile installations, within or adjacent to natural heritage features.
- d) New agricultural uses or the expansion of agricultural uses into natural heritage features will not be permitted.
- e) The Municipality 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.
- f) The Municipality will use the Guidelines for Environmental Impact Assessments in the County of Essex Official Plan, relevant Conservation Authority's guidance materials, MNRF's Ontario Wetlands Evaluation System (OWES) Manual and MNRF'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 Municipality's Natural Environment policies.

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- g) The Municipality 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. Where components of the natural heritage features and areas 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 obligate the County, Municipality or appropriate Conservation Authority, or other public agencies to purchase the land.
 - h) 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 County, Municipality, Conservation Authority or any other conservation group or agency. However, when considering development proposals, the Municipality may require the land owner to enter into a Site Plan agreement regarding, as an example, 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.
 - i) The Municipality 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 Municipality, 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.

5.2.1.1 Aquatic and Fish Habitat

The Municipality recognizes that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem. Aquatic and fish habitat protection and restoration opportunities throughout the Municipality are significant due to the number of subwatersheds which outlet into Lake St. Clair. Aquatic and fish habitat restoration opportunities may be implemented through subwatershed studies, Secondary Plans, and on an individual lot basis. Development and site alteration shall not be permitted in aquatic and fish habitat except in accordance with provincial and federal requirements. Waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats, as listed in the federal *Species at Risk Act* are considered natural heritage features and areas. The location of such waters and habitats are identified by the Department of Fisheries and Oceans (DFO) on the Fisheries and Oceans Canada aquatic species at risk distribution and critical habitat maps and in documents available on the *Species at Risk Act* Public Registry.

When considering impacts to aquatic and fish habitat areas, the following will be the policy of the Municipality:

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- a) Development and site alteration shall not be permitted in waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats as identified by the Department of Fisheries and Oceans (DFO) unless an Environmental Impact Assessment demonstrates that there will be no negative impacts on natural heritage features and areas and ecological functions, and *Species at Risk Act* provisions have been addressed, in accordance with provincial and federal requirements. An EIA may be required if there may be potential impacts that may contravene the federal *Species at Risk Act* from activities occurring in adjacent areas, within 120 metres of the boundary of such waters, residences or critical habitats. Through an EIA and fish habitat mitigation/compensation assessment, in consultation with the Municipality, the relevant Conservation Authority and the DFO, it is the Municipality'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. The EIA shall indicate how the project will be carried out to remain in compliance with the *Species at Risk Act*, which may include: modifying the project to avoid impact, development of appropriate mitigation, or acquiring a *Species at Risk Act* permit to carry out the activities.
 - b) Any development or change in land use near or adjacent to an existing or potential fish habitat area will be reviewed by the Municipality and relevant Conservation Authority in consultation with the DFO with respect to the potential impact. Any such proposal will be subject to an EIA to determine if it will result in a reduction of the fish habitat.
 - c) The Municipality 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 Municipality, the relevant Conservation Authority and/or the DFO.

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- f) Where it is determined by the Municipality, 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.

5.2.2 Natural Heritage System

The Municipality encourages and supports the enhancement of the natural heritage system identified in Section 5.2 and Schedule “B2-2”. The natural heritage system contains potential linkages and corridors as well as expansions to the core existing natural heritage features. Further information on the County’s natural heritage system can be found in the Essex Region Natural Heritage System Strategy (ERNHSS).

The natural heritage system reinforces the protection, restoration and enhancement of identified natural heritage features, and promotes the overall diversity and interconnectivity of natural heritage features, functions and areas.

The Municipality 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 Municipality 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 County, Municipality 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 Municipality to implement the natural heritage system:

- a) The Municipality will work with private property owners and agencies toward preserving and enhancing natural features and the overall Natural Heritage System through the application of the Managed Forest Tax Incentive Program and the Conservation Land Tax Incentive Program. The Municipality will work to protect high priority restoration opportunity areas as identified on Schedule “B2-1”.
- b) To increase the size of core natural areas and to create and protect linkages and corridors as part of a linked natural heritage system connecting wildlife habitat areas to each other.
- c) The Municipality 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.
- d) Support partnerships with local Conservation Authorities, local municipalities, and other partners, that result in plans to appropriately manage ecologically sensitive lands that

are in public ownership, discourage the introduction and spread of invasive species, and promote a high level of biodiversity.

- e) The County encourages private individuals and businesses to participate in tree planting, restoration and stewardship programs/agreements and opportunities that will ultimately enhance the natural heritage system. The Municipality will encourage that, wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. The Municipality 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.
- f) To recognize that vegetated buffers along municipal drains enhance the natural heritage system and identify options for implementation of restoration opportunities adjacent to streams and municipal drains. This can be achieved by working with local drainage superintendent associations during the preparation of drainage reports under the Drainage Act that consider, where appropriate and feasible, vegetated buffers for new municipal drains and updates that are within the Restoration Opportunities Overlay Schedule “B2-1”.
- g) The Municipality supports the creation of new or expanded linkages between natural heritage features, where feasible. Corridors link isolated natural heritage features or enhance existing linkages, improve or enhance the ecological functions of designated natural heritage features, and strengthen the overall natural heritage system. Corridors and linkage areas will be identified in consultation with the Conservation Authorities, non-government organizations and private landowners. Some corridors or linkages may need to be developed over time through initiatives such as reforestation or regeneration projects.
- h) The Municipality will encourage the identification of natural connections through initiatives such as the preparation of Biodiversity Conservation Strategies and through the preparation of Secondary Plans for Special Planning Areas. Natural connections will generally follow watercourses and the lakeshore with their associated flood and erosion susceptible areas, unstable lands, steep slopes and other physical conditions that create hazards and will also generally follow the woodlots in the rural areas of the Municipality.
- i) The Municipality will encourage the following activities in consultation with the relevant Conservation Authority to promote the establishment of the natural heritage system:
 - i) Cooperate in identifying and protecting inter-municipal natural connections regarding multi-purpose (recreational/utility/natural) connections and linkages which cross municipal boundaries.
 - ii) Establish goals and strategies to increase the amount of natural heritage area.
 - iii) Require that when considering development proposals, the Municipality may require the land owner to enter into an 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 is encouraged.

- j) The Municipality will recognize woodlots as viable components of farming operations.

The natural areas under private ownership continue to be private and their identification as natural areas in no way increases their accessibility to the public or their eligibility for acquisition by a Conservation Authority or any other conservation group or agency.

- k) The Municipality will encourage the development of policies and programs to establish, protect and enhance natural heritage features and natural heritage systems.

5.2.3 Natural Conservation Designation Policies

The following policies apply to those lands designated as “Natural Conservation” on Schedule “C” as further detailed on Schedule “B2-1” of this Plan:

- a) Development and site alteration is not permitted on lands designated “Natural Conservation”.
- b) Permitted uses and land use policies for lands designated “Natural Conservation” are identified in Section 6.13 to this Plan.
- c) The significant habitat of endangered species and threatened species is not shown on the Land Use Schedules; however, it can occur in natural heritage features and areas mapped on the Official Plan Schedules.

Species at Risk are identified as extirpated, endangered, threatened or species of special concern on the Species at Risk in Ontario List. MECP administers the Endangered Species Act, 2007 (ESA) to protect and conserve species at risk and their habitats. Under the ESA, the MECP is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement. For the purposes of the PPS, MECP is responsible for approving the delineation of significant habitat of endangered species and threatened species.

Environmental Impact Assessment or other planning reports may help with identifying the extent of the habitat of endangered species and threatened species.

The significant habitat of endangered species and threatened species will be based on a consideration of the following:

- i) assessments reviewed and approved by the MECP regarding the extent of the species’ habitat;
- ii) habitats or areas delineated by MECP and/ or regulated under the ESA; and,
- iii) habitat that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or

threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

5.2.4 Natural Environment Overlay Policies

The following policies apply to those natural heritage features and areas identified as “Natural Environment Overlay” on Schedule “B2-1” of this Plan:

- a) Development and site alteration is not permitted on lands within the “Natural Environment Overlay” unless it has been demonstrated to the satisfaction of the approval authority and/or the local municipality, in consultation with the relevant Conservation Authority, that there will be no negative impacts on the natural features or their ecological functions.

These lands may be adjacent to lands designated “Natural Environment” and/or may contain fish habitat, provincially significant wetlands, significant woodlands, areas of natural and scientific interest, significant wildlife habitat, significant valleylands, and secondary priority existing natural features that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the Essex Region Natural Heritage System Strategy (ERNHSS). The extent of adjacent lands are defined in Table 5.1.

Assessment of negative impact is to be determined by conducting an EIA in accordance with Section 5.2.6 to this Plan which will be required prior to consideration of any *Planning Act* application.

- b) Permitted uses on lands within the “Natural Environment Overlay” shall be in accordance with the underlying land use designation.
- c) The Municipality encourages activities that preserve and enhance the features contained within the “Natural Environment Overlay”. Examples may include tree preservation, tree planting, establishing and improving linkages.

5.2.5 Restoration Opportunity Overlay Policies

The following policies apply to those lands identified as being a High Priority or Secondary Priority Restoration Opportunity as identified on Schedule “B2-1” to this Plan, and outlined in the Essex Region Natural Heritage System Strategy (ERNHSS). The “Restoration Opportunities Overlay” applies to lands that do not contain existing natural heritage features; however, they have been identified as potential areas to enhance the fragmented natural heritage system in the Municipality.

The following will be the policy of the Municipality:

- a) Prior to the approval of any Official Plan amendments or Secondary Plans, Zoning By-law Amendments, plans of subdivision/condominium, or during the preparation of any Environmental Assessment for infrastructure, an Environmental Impact Assessment shall be undertaken that evaluates the following:

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- i) opportunities to restore and enhance the natural heritage features in the area, including the establishment of linkages;
 - ii) the incorporation of low impact development elements into the project;
 - iii) opportunities to establish buffers into the project design that would promote the natural restoration of an area;
 - iv) opportunities to set aside strategic areas for restoration and enhancement;
 - v) opportunities for local stewardship, naturalization, and education about the benefits of enhancing the area's natural heritage system;
 - vi) public acquisition opportunities; and
 - vii) if lands are not acquired then the lands will be placed in a protected designation and zone where appropriate.
- b) Prior to the construction of any new municipal drains or any work completed under Section 78 of the *Drainage Act* within the "Restoration Opportunities Overlay" as shown on Schedule "B2-1" of this Plan, a Drainage Report shall be prepared in accordance with the *Drainage Act*. The Drainage Plan shall consider the establishment of vegetated buffers to enhance the natural heritage system, where feasible and appropriate.

5.2.6 Environmental Impact Assessments

The Municipality 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 County and Municipality, in consultation with the Essex Region Conservation Authority, Lower Thames Valley Conservation Authority, the Ministry of Natural Resources and Forestry, and/or the Ministry of the Environment, Conservation and Parks, where appropriate.

To assist the Municipality 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, Ministry of Natural Resources and Forestry and/or the or the MECP, where appropriate.

- a) The purpose of an EIA is to:
 - i) collect and evaluate information to provide a more complete understanding of the boundaries, attributes and functions of natural heritage features and associated ecological and hydrological functions that exist;
 - ii) determine whether there are any additional natural heritage features on the lands and adjacent lands; and,
 - iii) make an informed decision as to whether the proposed development and/or site alteration will have an impact on the natural heritage features and ecological and hydrological functions.

- b) The preparation of all EIA's will be the responsibility of the land owner and will be carried out by a qualified environmental professional. The EIA is to be prepared in accordance with the guidelines in Appendix 3 of the County of Essex Official Plan and on the basis of the natural features or the ecological function for which the area has been identified in Table 5.1 and the Schedules to this Plan.

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- c) When conducting the EIA, the environmental professional must acknowledge in the report any new information, such as findings of rare or significant species not previously known to exist on the site, and the impact which may result from any proposed development. The County, local municipality and/or other approval authority will have regard to such new information in its decisions regarding planning applications. If, based on the new information, the approval authority, in consultation with the relevant Conservation Authority, concludes that the “Natural Conservation” designation should be altered, the County Official Plan and/or this Official Plan, depending on the significance of the change and its impact on the ability of the County and/or Municipality to meet the goals of the respective Official Plan, may require an amendment to implement the change.
 - d) Before development is approved in the area subject to the EIA, the EIA will demonstrate that the relevant policies of the County Official Plan and this Plan are met. The EIA should also demonstrate that the development and site alteration will not have an impact on significant natural heritage features and related ecological functions.
 - e) Where an EIA has been completed, the County and/or the Municipality, as the approval authority for land use planning applications, must be satisfied that the EIA demonstrates that there will be no negative impacts on the natural features or their ecological functions.
 - f) A site inspection may be needed where there is insufficient natural heritage data to determine whether an EIA is triggered. The purpose of the site inspection is to identify potential significant natural heritage features and areas that may require further study and evaluation. Once the significance is determined, the appropriate policies of this Plan will apply.
 - g) If a site is identified as having a higher or lower classification by the Province or relevant Conservation Authority, or by a local municipality through a special planning study which is completed in accordance with Provincial guidelines, the County and/or the local Official Plan will require amendment to implement the change. The aforementioned amendments will generally occur at the five year review of the County Official Plan. In the interim, where the lands are identified as having a higher classification, this Plan will apply the relevant policies as if these lands had been designated as “Natural Conservation” on Schedule “C” of this Plan. In all cases, the approval authority will have regard to the Provincial Policy Statement when making decisions regarding any planning applications affecting areas with natural heritage features and/or functions.
 - h) Removal of a natural heritage feature for the purpose of lowering the “Natural Conservation” classification in this Plan and/or otherwise affecting the EIA, will not be sufficient grounds for amending the planning documents to a lower classification and will invalidate the EIA.
 - i) In areas other than those designated “Natural Conservation” on Schedule “C” of this Plan, altering the state of the natural heritage features as a result of conducting

permitted uses (i.e., clearing lands for agricultural uses), will not be considered negatively by the approval authority. To assist with determining the alteration of a natural environment area over time, the approval authority will use the April 2000 and 2010 aerial photography as one of the tools to establish the alteration in relation to the enlargement or retraction of a feature.

- j) The extent and diversity of natural heritage features in an area, and the natural connections between them, should be preserved and enhanced where possible. The Municipality encourages the protection and enhancement of natural connections in accordance with the policies of Section 5.2.

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 “B3” to this Plan. There is a potential for the exploration, discovery and production of petroleum and salt deposits in the Municipality. 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 Municipality:

- 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 “B3” 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 “B3”, 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 Municipality 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.

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- f) The Municipality 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 Municipality 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 Municipality 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 Municipality:

- 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 Municipality 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 Municipality will generally not permit new pits and quarries in Natural Heritage Features, as identified on Schedule “B2” 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 “B2” 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 MECP 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. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.

- 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 Municipality 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 Municipality:

- 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.

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- e) The Municipality 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 Municipality 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 Municipality 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.

Lands affected by natural hazards (flooding and erosion) are regulated by the Conservation Authority having jurisdiction in accordance with the *Conservation Authorities Act*, and any

development proposal will follow the requirements of the above noted Act and the regulations made under the respective 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 Floodprone Areas on Schedule "B4".

- a) The extent of the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodprone Areas will be considered approximate on Schedules "B4". In all cases, it will be necessary to verify the boundaries on a site specific basis in consultation with the appropriate Conservation Authority. An amendment to this Plan will not be required to adjust the flooding limits on Schedule "B4" provided the adjustment is minor, and approved by the Municipality and the applicable 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 Floodprone 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.

An important factor in considering new development within the floodprone areas is the provision of safe access during times of a flooding hazard. In accordance with Provincial policy, development and site alteration shall not be permitted in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. Consultation with the Municipality and the applicable Conservation Authority is required to determine whether lands within the floodprone areas can demonstrate that the site has safe access appropriate for the nature of the development and the natural hazard. Furthermore, the Municipality in consultation with the Conservation Authorities, is undertaking a detailed Shoreline Management Plan study to comprehensively assess the requirements for safe access with respect to future development along the entire length of Lake St. Clair shoreline within the boundary of the Municipality of Lakeshore. The flood study recommendations will be implemented through an update to the Municipality's Official Plan and/or Zoning By-law.

- e) There is no public obligation to purchase any area within the hazard lands.

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- 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 “B4” illustrates the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodplain Floodprone 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.
 - h) The extent of the natural hazard lands will be identified in the implementing Zoning By-law, to the extent possible, in accordance with the policies of this Plan.

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 “B4”.

- 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 Regulated Area on a site specific basis with the appropriate Conservation Authority.
- b) An amendment to this Plan will be required to identify or revise the extent of the floodway. The policies of this plan will apply to the defined portions of the floodway and flood fringe regardless whether it has been mapped and delineated on Schedule “B4”. The Municipality in consultation with the relevant Conservation Authority will endeavour to delineate floodways on a comprehensive basis, particularly within Settlement Areas. The Zoning By-law will implement the policies of this Plan by delineating the extent of the floodway where it has been confirmed.
- c) Prior to permitting development within the LORA, the Municipality will be satisfied that the appropriate permits have been obtained from the appropriate Conservation Authority.
- d) This section of the Plan must be read in conjunction with the Inland Floodprone Area policies and the Lake St. Clair Floodprone Area policies.

5.4.1.2 Inland Floodprone Area

Lands within an Inland Floodprone Area on Schedule “B4” 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 not been prepared for all of the subwatersheds and tributaries within the Essex Region Conservation Authority jurisdiction for the Municipality. Due to limited development pressure, these lands have not been mapped for the Lower Thames Valley Conservation Authority jurisdiction within the Municipality. However, mapping on a site by site basis may be available in consultation with the relevant Conservation Authority. The approximate boundaries of the floodplain, which contain those lands below the Regulatory Flood Standard, are shown on Schedule “B4”. 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 Provincial Technical Guide – River and Stream Systems: Flooding Hazard Limit, or other guidance as approved by the Province.

The Municipality will utilize a two-zone concept for floodplain management. Under the two-zone approach to floodplain management, the Municipality will to the satisfaction of the relevant Conservation Authority, identify the floodway (the area that is subject to deeper, faster flows, which acts as the channel in times of flooding) and the flood fringe (the outer portion of the flood plain between the floodway and the flooding hazard limit, which are subject to depths and velocities of flooding that are generally less severe than those experienced in the floodway). The two-zone concept for floodplain management applies to river, streams and inland lake systems. Development is prohibited in the floodway with the exception of buildings and/or structures required for flood and erosion control, whereas the flood fringe may accommodate development subject to satisfying the policies of this Plan.

The precise delineation of the extent of a floodway will be done to the satisfaction of the relevant Conservation Authority, and be subject to the provisions of applicable guidelines including the Technical Guide – River and Stream Systems: Flooding Hazard Limit (Ontario Ministry of Natural Resources, 2002).

In instances where the floodway has been delineated in accordance with Provincial Guidelines, the floodway will be identified on Schedule “B4”. To date, the extent of the floodway has been delineated for certain areas along the Puce River, Pike Creek, Belle River, Duck Creek and Ruscom River, as identified on Schedule “B4”. Notwithstanding, there exist additional floodway areas within the floodplain that have not yet been defined. As such, the extent of the floodway is provided for information purposes only, and consultation with the Municipality and relevant Conservation Authority is required to determine the extent of the floodway, which may be undertaken through the preparation of a flood plain study in accordance with Provincial Guidelines.

An amendment to this Plan will not be required to identify or revise the extent of the floodway. The policies of this Plan will apply to the defined portions of the floodway and flood fringe regardless of whether it has been mapped and delineated on Schedule “B4”. The Municipality, in consultation with the relevant Conservation Authority will endeavour to delineate floodways on a comprehensive basis, particularly within Settlement Areas. The Zoning By-law will

implement the policies of this Plan by delineating the extent of the floodway where it has been confirmed.

The following will be the policy of the Municipality:

- a) The extent of the Inland Floodprone Area will be considered approximate on Schedule "B4". 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, in recognition of ice jams in proximity to Lighthouse Cove.
- c) Uses legally existing on the date of the adoption of this Plan will be permitted.
- d) Development and site alteration shall not be permitted within:
 - i) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
 - ii) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.
- e) Development and site alteration in the Inland Floodprone Area areas, other than within the areas identified in Section 5.4.1.2 d), 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 Municipality, the relevant Conservation Authority and the other appropriate agencies as necessary, 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. An EIA may be required to demonstrate that no adverse environmental impacts will result;
 - iv) vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
 - v) the development does not include institutional uses, special needs housing or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
 - vi) development is carried out in accordance with established standards and procedures.

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- iv)
- f) In considering development in the Inland Floodprone Area, other than within the areas identified in Section 5.4.1.2 d), the Municipality and relevant Conservation Authority 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.
- g) Any new development permitted within the Inland Floodprone Area must meet minimum flood protection standards to the satisfaction of the Municipality and the appropriate Conservation Authority.
- h) As part of the approval process for new developments, the Municipality along with the appropriate Conservation Authority, will ensure that appropriate vehicular access routes are planned and available during flood events.
- i) The following uses will be prohibited within the Inland 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 or uses that house a vulnerable population such as hospitals, long-term care homes, retirement homes, group homes and other special needs housing, pre-schools, school nurseries, day cares and schools; and
 - iii) an essential emergency service such as that provided by 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 Schedule "B4" 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 Flood prone Area are determined by the underlying land use designations identified on Schedule "C" and are based on the regulatory flood standard for shorelines, being the one in one-hundred year (1:100) flood standard plus an allowance for wave uprush, or maximum observed flood condition, and/or other water related hazards, for both the Essex Region and Lower Thames Valley Conservation Authorities.

The implementing Zoning By-law will prescribe certain setback and minimum floodproofing elevation requirements for development within the floodprone areas and setbacks from the top of bank for erosion prone areas, as prescribed by the relevant Conservation Authority. 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 Municipality:

- 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 will also be required.
- 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) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion 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; and.
- 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. An EIA may be required to demonstrate that no adverse environmental impacts will result;
 - iv) vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;

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- v) the development does not include institutional uses, special needs housing, or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
 - vi) development is carried out in accordance with established standards and procedures.
- e) In cases of severe water or erosion damage to Municipal roads or other Municipality 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, in accordance with the applicable Conservation Authority policies and procedures. 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 Municipality will consult with the appropriate Conservation Authority in this regard.
- i) In the event that an existing building and/or structure is destroyed by a particular hazard, reconstruction of said building and/or structure will be subject to the applicable Conservation Authority regulations.
- j) 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.
- k) Any new development permitted within the Lake St. Clair Shoreline Floodprone Area must meet minimum flood protection standards to the satisfaction of the Municipality and the relevant Conservation Authority.

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- l) As part of the approval process for new developments, the Municipality along with the appropriate Conservation Authority, will ensure that appropriate vehicular access routes are planned and available during flood events.
 - m) The Municipality will explore opportunities for longer term solutions to recurring flooding where existing development exists within shoreline floodprone areas.
 - n) 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 or uses that house a vulnerable population such as hospitals, long-term care homes, retirement homes, group homes and other special needs housing, pre-schools, school nurseries, day cares and schools; and
 - iii) an essential emergency service such as that provided by 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 Municipality 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 Municipality, 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. The erosion hazard rate as prescribed by the appropriate Conservation Authority and MNR shall be achieved, and the 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 Municipality 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

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- e) protection of Natural Heritage Features.

5.4.1.5 Hazardous Forest Types for Wildland Fires

Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Ministry of Natural Resources and Forestry. Potential forest hazard classifications for wildland fire are illustrated on Appendix 1. Appendix 1 is provided for information purposes and is intended to provide a screening tool for identifying areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken, Appendix 1 may be revised without requiring an amendment to this Plan.

5.4.2 Human-Made Hazards

5.4.2.1 Potentially Contaminated Sites

The historic use of land in the Municipality 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 Municipality:

- a) The Municipality 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 Municipality 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 MECP 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 Municipality'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 Municipality will require a RSC, or a Phase I Environmental Site Assessment (ESA) for the land subject to the application(s), if in the Municipality'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 Municipality'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 Municipality 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 proper decommissioning and clean-up of any contaminated site prior to redevelopment or re-use will be required, including the following measures:
 - i) The Municipality will compile an inventory of sites where existing and past land uses may have contributed to the presence of contaminants, as they become known to the Municipality;
 - ii) Where a change in land use or application for development approval (i.e. approval for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium, or a building permit) is received for a known,

suspected or potential contaminated site or property adjacent to such a site, the Municipality will not grant any planning approvals until:

- A Phase I Environmental Site Assessment (and a Phase II Environmental Site Assessment, if recommended by Phase I Environmental Site Assessment) is submitted and reviewed;
- Mandatory filing of a Record of Site Condition (RSC) in the Environmental Site Registry is required for the change of use of a property from industrial or commercial to residential or parkland. Phase 1 Environmental Site Assessments (ESA) should be carried out at sites which may be contaminated and Phase II ESAs should be completed if required. Clean-up of contaminated sites should be done in accordance with the Record of Site Condition Regulation (O.Reg. 153/04) and with MECP guideline "Record of Site Condition - A Guide to Site Assessment, the Clean-up of Brownfield Sites and Filing of Records of Site Condition" dated October 2004 or associated guidelines, as amended from time to time.
- Section 168.3 (i) of the *Environmental Protection Act* may require the filing of a Record of Site Condition for specific changes in land use.

iii) The Municipality may also request the filing of a RSC when reviewing planning applications for redevelopment that may be contaminated but does not require mandatory filing.

iv) At the Municipality'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.

b) 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 Municipality 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.

c) If the site has already been remediated, the proponent will provide the Municipality with a RSC to provide verification to the satisfaction of the Municipality 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.

d) 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 Municipality 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.

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- e) 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 Municipality 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 Municipality for review and concurrence by a Qualified Person prior to the scheduling of a Public Meeting under the Planning Act.
 - f) 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 Municipality, the Municipality 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.

- g) The Municipality will not consider an RSC as acknowledged by the MECP until the applicant provides evidence that either the MECP has confirmed that the RSC is acknowledged or if the MECP 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 Municipality:

- a) The Municipality encourages Provincial and Federal initiatives to develop and enforce improved emission standards for motor vehicles and industrial operations.
- b) The Municipality 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 Municipality will prepare and adopt an urban forestry program for the maintenance and planting of trees.
- d) The Municipality will undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on Municipality property to improve air quality.

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- e) The Municipality is committed to a program of replacing trees that must be removed from Municipal road allowances. The Ministry of Transportation is encouraged to enact a similar program along Provincial Highways.
 - f) The Municipality 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 Municipality. Managing noise, vibration and odour levels in the Municipality is important to ensuring the health and well-being of the Municipality, 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 Municipality:

- 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 MECP 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 MECP 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 MECP 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 Municipality will have regard for the relevant MECP 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 Municipal 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 Municipality, 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 Municipality in engaging peer review consultants to evaluate the proposal and supporting submissions will be reimbursed by the proponent.

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- f) The Municipality will support initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. The Municipality 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 Municipality, 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 Municipality:

- a) Active and closed Waste Disposal Sites are identified on Schedule “B3” 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 Municipality and the requirements of the MECP 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 Municipality consulting with the MECP 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 MECP 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 Municipality, and the should Section 46 of the *Environmental Protection Act* apply, will be carried out to the satisfaction of the Municipality, and the MECP respectively should Section 46 of the *Environmental Protection Act* apply, will demonstrate that development is compatible and can proceed without negative impact;

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- iii) the Municipality 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 Municipality, and to the satisfaction of the MECP if Section 46 of the *Environmental Protection Act* is applicable; and
 - v) the Municipality 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 Municipality will support the management of waste in accordance with the policies of Section 7.4 of this Plan.

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 Municipality 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 (Section 6.2);
- Hamlet Designation (Section 6.3);
- Waterfront Residential Designation (Section 6.4);
- Urban Fringe Designation (Section 6.5);
- Residential Designation (Section 6.6);
- Service Commercial Designation (Section 6.7);
- Recreational Commercial Designation (Section 6.8);
- Mixed Use Designation (Section 6.9);
- Central Area Designation (Section 6.10);
- Employment Designation (Section 6.11);
- Major Institutional Designation (Section 6.12);
- Natural Conservation Designation (Section 6.13);
- Parks and Open Space Designation (Section 6.14); and
- Urban Reserve Designation (Section 6.15).

6.2 Agricultural Designation

The majority of land within the Municipality 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 agriculture-related use and on-farm diversified uses and associated activities make an important contribution to the economy of The Municipality. 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, agriculture-related uses, on-farm diversified 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) Licenced Cannabis Production Facilities (CPFs) in accordance with the Cannabis Act and subject to other pertinent policies of this Plan, may also be considered as a use in certain areas of the “Agriculture” designation as identified on Schedule “C” of the Official Plan, subject to a site-specific zoning amendment and site plan.
- c) Upon receipt of an application for a zoning amendment and site plan control to permit a CPF in the “Agriculture” designation, Council shall be satisfied that the following criteria is met:
 - i) new purpose-built facilities will be encouraged as the first option, and any retrofit or use of existing agricultural buildings or structures must demonstrate suitability in accordance with the policies of 8.3.1.2 of this Plan;
 - ii) that mitigation measures be taken to reduce impacts on nearby residential, institutional, and other sensitive land uses, and, to determine the appropriate separation distance of the proposed facility to existing sensitive land uses and zones, including commercial and recreational land uses frequented by members of the public;
 - iii) that buffering and screening will preserve the agricultural character of the surroundings; and

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- iv) that required facilities will be installed such as, but not be limited to, on-site water storage, rate-of-flow control facilities and complete Stormwater management facilities as listed under Section 7.3 of this Official Plan.
 - d) 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.
 - e) A second dwelling unit may be permitted in accordance with the policies of Section 4.3.1.5.1.
 - f) On-farm diversified uses that are secondary to the principal use of the property are permitted, 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, fruit/vegetable/flower stands and farm markets, wineries and breweries, sales outlets for agricultural products produced on the farm, and agri-tourism uses such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction. On-farm diversified uses are secondary to the principal agricultural use of the property, and will be limited in area. Proposed on-farm diversified uses will be compatible with, and will not hinder, surrounding agricultural operations. The Zoning By-law will establish provisions related to on-farm diversified uses.
 - g) Agriculture-related uses including farm-related commercial and industrial uses directly related to, and supportive of an agricultural operation are permitted, that benefit from being in close proximity to farm operations, 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;

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- 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;
 - vii) the use does not substantially change the agricultural character of the area and outdoor storage is limited; and
 - viii) proposed agriculture-related uses will be compatible with, and will not hinder, surrounding agricultural operations.
- h) 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.
- i) Forestry and agro-forestry uses related to the growing and harvesting of trees and the processing of trees will be permitted in the Agricultural Designation. Where the use involves the processing of trees, the following policies are considered:
- i) the use will require an amendment to the Zoning By-law and specific development standards are provided in the Zoning By-law; and
 - ii) the use is subject to Site Plan Control in accordance with Section 8.3.4.
- j) 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.
- k) 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.
- l) 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

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- iii) the recycling of irrigated water by the mushroom operation will be required in order to reduce primary water use.
 - m) 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.
 - n) 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 4.3.1.5.3.
 - o) 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.
 - p) Uses accessory to any of the permitted uses in the Agricultural Designation are permitted.
 - q) 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.
 - r) The Municipality will consider Provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, when addressing the appropriateness of permitted uses within the Agricultural Designation, while ensuring the greatest flexibility to support the continued viability of agricultural operations in the Municipality.

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 natural hazards which may be a constraint to development. 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 and areas. New agricultural uses or the expansion of agricultural uses into natural heritage features and areas will not be permitted.

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- 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 Municipality 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 Municipality.

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 40 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) the non-farm parcel will be of a minimum lot size required for the appropriate provision of potable water and sewage disposal, to the satisfaction of the Municipality and agency having jurisdiction;
 - iv) 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
 - v) 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 agriculture-related uses the lot created will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services. These agriculture-related uses will also comply with the MDS formulae.
- 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 lot adjustments for legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments, and in accordance with Sections 50(3) and (5) of the *Planning Act*, which do not result in the creation of a new residential or non-farm lot.
- f) For *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

6.2.4 Recreational and other Non-Agricultural Uses In Agricultural Areas

It is the policy of this Plan to protect lands which are suitable for agricultural uses for the long-term. Non-agricultural uses may only be permitted in the Agricultural Designation for the

extraction of minerals, petroleum resources and mineral aggregate resources in accordance with Section 5.3 of this Plan, and for limited non-residential uses in accordance with the policies of this Plan. Limited non-residential uses, including new or expanding recreational uses, may only be permitted in the Agricultural Designation subject to the submission of appropriate studies, including an Agricultural Impact Assessment, provided that all of the following are demonstrated:

- a) there is a need within the planning horizon of this Plan for the proposed use;
- b) the lands do not comprise a specialty crop area;
- c) alternative locations have been evaluated and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands;
- d) the proposed use will not be located in an area that may have an impact on the efficient and logical future expansion of nearby settlement areas;
- e) the proposed use complies with the required MDS I setback distances; and,
- f) impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands will be minimized to the extent feasible.

An amendment to this Plan will be required to permit a non-agricultural use within the agricultural area, in accordance with the policies of Section 8.2.1.

6.3 Hamlet Designation

The Hamlet Areas 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) A second dwelling unit may be permitted in accordance with the policies of Section 4.3.1.5.1.
- c) Home occupations will be permitted in association with a residential use.
- d) 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 a site-specific amendment to the Zoning By-law.
- e) 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.
- 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 Hamlet Designation will be permitted.
- h) 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.

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- 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 areas, and natural hazards, 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.

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- 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 Municipality'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 Municipality, 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 Municipality. 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 Municipality 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 Municipality;
 - 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 Municipality 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 a site-specific amendment to 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 areas, and natural hazards, which may be a constraint to development.

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- 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) Small-scale institutional and special needs housing uses shall only be permitted if safe and dry access can be demonstrated to the satisfaction of the Municipality and relevant Conservation Authority.
- f) As part of any new development within the Waterfront Residential designation, conditions related to access easements may be imposed to allow for repair and modifications to breakwalls and other infrastructure related to flood hazard management.
- g) 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 Municipality and the Province.
- h) The existing lakeshore/rural character of lands within the Waterfront Residential Designation will be recognized and maintained. Through the review of development applications for new or expanded residential dwellings and accessory buildings and structures, the diversity and character of the Municipality's unique Waterfront Areas will be maintained, through the consideration of the following matters:
- i) the compatibility of development with the character, composition, built form, massing, setbacks and scale of the surrounding Waterfront Residential Area;
 - ii) maintaining views and vistas to the waterfront from the street and neighbouring properties by locating dwellings and accessory buildings and structures the furthest distance back from the water's edge as feasible; and
 - iii) maintaining existing trees and vegetation to the greatest extent feasible.

The Zoning By-law may establish zone provisions to ensure the existing character of the Waterfront Residential Designation is recognized and maintained, by addressing such matters as:

- maximum height requirements for dwellings and accessory buildings and structures, through the implementation of increased side yard setbacks or the use of angular plane requirements from abutting properties;
- maximum lot coverage requirements, including limitations for accessory buildings and structures;
- increased interior side yard setback requirements;
- minimum front and rear yard setback requirements based on established build-to-lines;

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- maximum building footprints or building dimensions for residential dwellings and accessory buildings and structures;
 - specific requirements for accessory buildings and structures, such as boathouses, docks and similar shoreline structures, to regulate such matters as the height, scale, yard setbacks, and maximum structure width in relation to the shoreline frontage, and maximum projections beyond the shoreline; and
 - other matters as determined appropriate by the Municipality.

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 Municipality 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) A second dwelling unit may be permitted in accordance with the policies of Section 4.3.1.5.1.
- c) 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.
- d) Existing low density residential dwellings on lots suitably sized to accommodate appropriate servicing systems will be permitted to continue.
- e) Home occupations will be permitted in association with a residential use.
- f) 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 a site-specific amendment to the Zoning By-law.
- g) Small scale institutional uses, and park and open space uses will be permitted.
- h) Uses accessory to any of the permitted uses in the Urban Fringe Designation will be permitted.
- i) 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.

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- 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 areas, 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 Municipality 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 Municipality 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 Municipality, 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 Municipality;

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- 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 Municipality; 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) A second dwelling unit may be permitted in accordance with the policies of Section 4.3.1.5.1.
- d) Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing or retirement homes will be permitted to develop in accordance with the medium density residential policies of Section 6.6.1 (b).
- 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 a site-specific amendment to the Zoning By-law.
- f) Elementary schools and day care centres will be permitted, provided that they have direct access to an arterial or collector road.
- g) 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 Municipality, 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 Municipality;
 - vii) driveway access will be approved by the Municipality 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.

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- h) 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.
 - i) 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.
 - j) 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 Municipality;
 - v) driveway access will be approved by the Municipality 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.
 - k) 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 4.3.1.5.3.
 - l) Uses accessory to any of the permitted uses in the Residential Designation are permitted.
 - m) 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 areas, and natural hazards, which may be a constraint to development.
- c) Development of new residential dwellings and accessory building and structures within established residential areas shall have consideration to maintaining the existing character, composition, built form, massing, setbacks and scale of the surrounding residential neighbourhood, and in accordance with the community design policies of Section 4.2.1. The Zoning By-law may establish zone provisions for accessory buildings and structures to ensure compatibility with the existing character of the surrounding residential neighbourhood.

6.6.3 Site-Specific Policy Areas

6.6.3.1 Day Care Centre (197 Auburn Avenue)

The following policies apply to the lands designated Residential Designation and identified as Site-Specific Policy Area 6.6.3.1 on Schedule “C3”, which are generally located at the southwest corner of the intersection of County Road 22 and Auburn Avenue:

- a) A day care centre will be permitted to have direct access to an ‘Urban Residential Local Road’ (Matthew Crescent).

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 areas, and natural hazards, which may be a constraint to development.

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- 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 Municipality, or County Roads subject to the approval of the County and Municipality, or arterial or collector roads, subject to the approval of the Municipality.
 - 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 Municipality'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 areas, and natural hazards, 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 Municipality.

- 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.

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- 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 Municipality:
- 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 Municipality;
 - 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 Municipality, 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 Municipality, 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 Municipality;
 - vi) the development is adequately serviced by parks and school facilities;

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- 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 Municipality;
 - 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 Municipality; 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 Municipality, 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 Municipality;
 - vii) driveway access will be approved by the Municipality 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 and retirement 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.

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- 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 areas, and natural hazards, which may be a constraint to development.
- c) The Municipality 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 Municipality, 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 Municipality 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.

6.9.3.2 416 Advance Boulevard

The following policies apply to the lands designated Mixed Use Designation and identified as Site-Specific Policy Area 6.9.3.2 on Schedule “C11”, which are generally located at the southeast corner of the intersection of County Road 22 and Advance Boulevard:

- a) The manufacturing of mattresses i.e. assembly of component mattress parts to produce finished products (mattresses) suitable for retail trade, conducted entirely within a wholly enclosed building, in associated with a retail use (i.e. furniture/mattress store) shall be a permitted use.

6.9.3.3 South of Rail Corridor and East of Manning Road

The following policies apply to the lands designated Mixed Use Designation and identified as Site-Specific Policy Area 6.9.3.3 on Schedule “C7”, which are generally located at the southeast corner of the intersection of Manning Road and the Rail Line:

- a) No development shall be permitted until such time that that an Environmental Assessment and Record of Site Condition are completed to the satisfaction of the Municipality.

6.10 Central Area Designation

The Central Area Designation represents and designates the traditional downtown main streets and new high activity centres of the Municipality. 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 Municipality'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 Municipality;

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- 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 Municipality;
 - 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 Municipality; 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 Municipality;
 - 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 Municipality;

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- 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 Municipality:
- 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 Municipality;
 - 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 Municipality, 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 Municipality, 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 and retirement 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 areas, and natural hazards, 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 Municipality 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.

6.10.3 Site-Specific Policy Areas

6.10.3.1 322 Notre Dame Street

The following policies apply to the lands designated Central Area Designation and identified as Site-Specific Policy Area 6.10.3.1 on Schedule “C2”, located at the southeast corner of the intersection of Notre Dame Street and Eleventh Street, municipal address 322 Notre Dame Street:

- a) The only permitted commercial use will be a parking lot serving the commercial enterprise at 330 Notre Dame Street.

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) Adult entertainment establishments are only permitted on lands designated Employment Area and subject to the following policies:
 - i) A site-specific amendment to the Zoning By-law will be required to permit an adult entertainment establishment;

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- ii) An adult entertainment establishment will not be located within less than 800 metres of a residential, institutional, park and open space and retail commercial use;
 - iii) Properties containing an adult entertainment establishment will not be permitted adjacent to a Provincial Highway, Rural Regional Road, Rural Secondary Road, or Urban Arterial Road;
 - iv) An adult entertainment establishment must be located within a freestanding, single storey building and must be the sole use on a lot;
 - v) A body rub parlour, adult specialty store or adult video store is permitted in a multi-occupancy building up to a maximum of 15% of the gross floor area of the building or 150 m², whichever is less;
 - vi) Accessory uses are not permitted in conjunction with any adult entertainment establishment and an adult entertainment establishment shall not be considered an accessory use;
 - vii) Adult entertainment establishments are prohibited on corner lots and lots not connected to full municipal services;
 - viii) The Municipality shall be satisfied that traffic from an adult entertainment establishment can be accommodated on area roads and will not conflict with truck traffic, and that an appropriate amount of parking and landscaping is provided on site;
 - ix) The Zoning By-law may establish more detailed general provisions for regulating adult entertainment establishments; and
 - x) The Municipality may implement a registration or licensing program to regulate adult entertainment establishments.
- f) Institutional uses or destination oriented commercial and shopping uses, such as Large Format Retail uses will not be permitted.
 - g) Parks and open space uses will be permitted.
 - h) Uses accessory to any of the permitted uses in the Employment Designation will be permitted.
 - i) 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.

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- 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 areas, and natural hazards, 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 Municipality.
 - 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 and Climate Change’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

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- 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 Municipality. Access to a County Road will require approval from the County and the Municipality.

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 permitted uses outlined in Section 6.11.3.1 a) 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 Municipality, 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;

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- 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 Municipality. 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 Municipality, and occupy large and prominent sites. These major institutional uses are important sources of both specialized services and employment for the entire Municipality, 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 areas, and natural hazards, which may be a constraint to development.

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- 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 Municipality 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 Municipality 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":

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.

6.12.3.2 1193 Faith Drive (St. Williams Cemetery) and 1203 Faith Drive (Arts and Cultural Facility)

The following policies apply to the lands designated Major Institutional Designation and identified as Site-Specific Policy Area 6.12.3.2 on Schedule "C3" (Emeryville), which are generally located on the south side of Faith Drive, at the end of Emery Drive, in the Community of Maidstone, in the Municipality of Lakeshore:

- a) St. Williams Cemetery, known as 1193 Faith Drive and located on the west side of the 4th Concession Drain, has an un-encumbered right-of-way access through a registered easement on the adjacent property known as 1203 Faith Drive. Through the nature and use of the property for a cemetery, St. Williams Cemetery does not require frontage and direct access to a municipal road and that the registered easement over the driveway provides sufficient access. By nature of the un-encumbered right-of-way, visitors and/or maintenance crew are allowed to utilize the driveway for the purposes of accessing the cemetery.
- b) The Arts and Cultural Facility, located on the east side of the 4th Concession Drain, will provide an un-encumbered right-of-way access from Faith Drive to the St. Williams Cemetery located to the west of the 4th Concession Drain. Permitted uses of the lands known as 1203 Faith Drive (Arts and Cultural Facility) include: theatre (theatre productions, such as a local playhouse), talent agency, recording studio, art studio, music studio, photography studio, pottery studio, woodworking studio, dance company, yoga studio, education and training (related to the Arts and Cultural Facility), daycare (for children of patrons of the Arts and Cultural Facility), cultural activities, retail (accessory only to an Arts and Cultural Facility), offices (accessory only to an Arts and Cultural Facility), café, and an artisan bakery (accessory only to an Arts and Cultural Facility).

6.13 Natural Conservation Designation

Provincial policy requires the protection and conservation of Provincially Significant Wetlands (PSWs). The significant wetlands and significant coastal wetlands and their boundaries are identified by the Ministry of Natural Resources and Forestry (MNRF) using the Ontario Wetland Evaluation System. This Plan designates all identified PSWs on Schedule “C” as Natural Conservation Designation. Schedule “B2-1” illustrates the PSW and the adjacent 120 metre zone of influence.

In addition, the Natural Conservation Designation includes significant habitat of endangered species and threatened species, significant natural heritage features including Environmentally Significant Areas and significant valleylands, and high priority existing natural heritage features that meet five out of 11 of the natural heritage feature criteria outlined in the Essex Region Natural Heritage System Strategy (ERNHSS). Lands designated “Natural Conservation” may also contain fish habitat, significant woodlands, areas of natural and scientific interest, significant wildlife habitat, and significant valleylands.

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 passive recreational uses, conservation management, hunting, trapping, fishing, compatible recreational activities and education activities, subject to the approval of the Municipality, 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 Municipality, in consultation with the Ministry of Natural Resources and Forestry and appropriate Conservation Authority.
- c) Agricultural uses existing legally on the date of adoption of this Plan will be permitted to continue.
- d) Activities that create or maintain infrastructure authorized under an environmental assessment process or work subject to the *Drainage Act*.
- e) The construction of greenhouses and other agricultural buildings within the Natural Conservation Designation is prohibited.
- f) Uses accessory to any of the permitted uses in the Natural Conservation Designation are permitted, subject to the policies of Section 5.2.1.

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- g) 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 and Forestry, which is updated from time to time, the precise delineation of Provincially Significant Wetlands may be refined without amendment to this Plan. The Municipality will maintain up-to-date schedules reflecting the current delineation provided by the Ministry of Natural Resources and Forestry. The addition or removal of a PSW designation will require an amendment to this Plan. All PSWs are deemed to be PSWs for the purpose of this Plan regardless of whether or not the PSW has been designated on the Official Plan Schedules, and the policies of this Plan applicable to PSWs shall apply.
- 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.
- 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) Electricity generation facilities and transmission and distribution systems shall be permitted on lands within the Natural Conservation Designation, subject to the applicable Environmental Assessment process, and any other applicable legislation and/or regulations.
- e) Lands designated Natural Conservation will be protected according to the policies of this Plan through the Zoning By-law.
- f) Nothing in this Plan is intended to limit the ability of legally existing agricultural uses to continue on lands within the Natural Conservation designation as well as lands designated Agricultural that have significant natural heritage features or are adjacent to areas with significant natural heritage features provided the agricultural uses do not impact the feature or its function that has been identified and evaluated by the Province or the applicable Conservation Authority.

6.14 Parks and Open Space Designation

The Municipality 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 Municipality's recreational facilities and are accommodated in other land use designations. Additionally, the cultural needs of the Municipality 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 areas, and natural hazards, 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.

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- 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 (related only to the growing and harvesting of trees); 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. For the purposes of the policy, electricity generation facilities and transmission and distribution systems shall be permitted on lands within the Urban Reserve Designation, subject to the applicable Environmental Assessment process, and any other applicable legislation and/or regulations.
- 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.

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- 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 areas, and natural hazards, which may be a constraint to development.

7.0 SERVICING GROWTH & CHANGE

7.1 Introduction

Growth and change is serviced in the Municipality 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, and electricity generation and transmission facilities. These systems play an important role in defining the Municipality 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. The Municipality will seek to optimize existing infrastructure and ensure that it is financially viable over its life-cycle.

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 Municipality 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 Municipality 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 Municipality 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 Municipality.

The following will be the policy of the Municipality:

- a) The Municipality will ensure the co-ordination between growth management and the transportation systems.
- b) The Municipality 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 Municipality will ensure that appropriate transportation service is provided to Employment Areas.
- d) The Municipality will ensure that designated commercial areas are serviced by roads with appropriate traffic capacity.
- e) Through the passing of by-laws, the Municipality 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 Municipality will maintain and encourage the protection of rail corridors for other linear uses should they become abandoned.

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- g) The Municipality 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 Municipality at minimal economic, environmental and social cost. Additionally, the network is intended to promote the development pattern in the Municipality and be supportive of economic activity.

The following will be the policy of the Municipality:

- 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 Municipality. 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 Municipality and crossing into adjacent jurisdictions will be maintained and improved, where possible and feasible.
- f) The Municipality 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 Municipality 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 Municipality 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 Municipality 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 Municipality, without the Municipality 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 Municipality 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 Municipality's Transportation Impact Study Guidelines.
- l) New development will have regard to the Municipality'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. New development may have frontage on and access to a private lane which is developed and maintained to a standard acceptable to the Municipality. 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 lanes. The Municipality will not be responsible in any way for the maintenance, upkeep or any other matter associated with the private lane.

7.2.2.1 Hierarchy & Classification of Roads

Public roads in the Municipality 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 Municipality:

- a) The Municipality 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 Municipality will, as needed, enact access control by-laws for specified Municipal roads with present or anticipated high traffic flows. Access control by-laws may be developed for any Municipal 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. New development may have frontage on and access to a private lane which is developed and maintained to a standard acceptable to the Municipality. 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 lanes. Any road improvement required to bring a road up to a standard deemed appropriate by the Municipality will be at the expense of the benefiting landowner(s).
- e) Road access points will be designed to the satisfaction of the Municipality 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 Municipality may consider alternative development standards including reduced right-of-way widths. The Municipality 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.

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- 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:
- iv) the extent of the right-of-way that may be required as established in the policies of this Plan;
 - v) 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;
 - vi) 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
 - vii) other requirements as established by the Municipality.
- 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 Municipality 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, natural hazards and cultural heritage landscape factors and attributes of adjacent land, or by views created by the road. The Municipality 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 Municipality. Sidewalks may be required to be provided in new development or redevelopment as determined by the Municipality in accordance with the policies of this Plan. The Municipality may consider alternative development standards outside of the Urban Areas, subject to the policies of this Plan.
- l) The Municipality 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 Municipality:

- 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 Municipal 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 Municipal 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 Municipality:

- 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 Municipality:

- 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 Municipality.
- 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 Municipality:

- 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 Municipality:

- 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.

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- c) Direct access to collector roads, excluding Oakwood Avenue, 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 Municipality:

- 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 Municipality:

- 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.
- h) County Road 22 is identified as an Urban Arterial Road in this Plan, which is a controlled access highway under the jurisdiction of the County of Essex. In addition to the policies of this section, the policies of Section 3.3.9 and 9.1.3 also apply.

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 Municipality:

- 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.

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- 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 Municipality 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 Municipality:

- 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 Municipality 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 Municipality:

- 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 Municipality 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 Municipality:

- 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 Municipality, 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 Municipality:

- 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 Municipality 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 Municipality 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 Municipality will review the design and layout of parking areas in accordance with the Municipality's parking guidelines.

7.2.3 Public Transit Systems

While there is no existing comprehensive public transit system in the Municipality of Lakeshore, the Municipality 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 Municipality:

- a) The Municipality will encourage connections with a Regional public transit system.
- b) The Municipality 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 Municipality. Where transit corridors exist or are to be developed, the Municipality will identify density targets for areas adjacent or in proximity to these corridors.
- c) The Municipality 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 Active Transportation

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 Municipality. This Plan recognizes that bicycle and pedestrian trails and paths contribute to healthy communities and supports such sustainable modes of travel. The Municipality encourages the development and enhancement of pedestrian and shared use of non-motorized trails and bicycle routes within the Municipality and across the County, in support of the County Wide Active Transportation System (CWATS) Master Plan, as identified on Schedule "D3". Furthermore, the Municipality will support the implementation of the Municipality's Parks and Recreation Master Plan and the Trails Master Plan to facilitate the development of a comprehensive and integrated active transportation network throughout the Municipality.

The following will be the policy of the Municipality:

- a) The Municipality 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 Municipality will consider adapting roads to provide safer travel for bicycles and pedestrians on road pathways, where feasible and appropriate.
- c) The Municipality 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 Municipality will promote accessible and convenient trail systems within a reasonable distance from the target neighbourhoods and major destinations.
- e) The Municipality 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 Municipality 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.

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- h) The Municipality will implement and operate an effective trail system maintenance program.
 - i) The Municipality 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 Municipality.
 - j) The Municipality will explore opportunities for the reuse of abandoned rail corridors for potential trail systems.
 - k) Throughout the Municipality there are a number of navigable waterways flowing into Lake St. Clair. The Municipality supports the provision of recreational trail opportunities and access along these waterways.
 - l) The Municipality will support the creation of the primary bicycle network as identified in the Municipality's Transportation Master Plan and Trails Master Plan.
 - m) The Municipality will support the implementation of the County Wide Active Transportation System (CWATS) Master Plan, as identified on Schedule "D3". Furthermore, the Municipality will support the implementation of the Municipality's Parks and Recreation Master Plan and the Trails Master Plan to facilitate the development of a comprehensive and integrated active transportation network throughout the Municipality.

7.2.5 Rail Corridors

The Municipality supports the continuation of a safe and efficient railway network within the Municipality. 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 Municipality:

- 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 Municipality, in consultation with the appropriate railway company, and shall undertake appropriate measures to mitigate any adverse effects from noise that are identified. All available options, including alternative site layouts and/or attenuation measures, will be considered and implemented where feasible to ensure appropriate sound levels are achieved.
- b) Any proposed new residential or other sensitive use within 75 metres of an active railway right-of-way will be supported by a vibration impact study, completed to the satisfaction of the Municipality, in consultation with the appropriate railway company, and shall undertake appropriate measures to mitigate any adverse effects from vibration that are identified.

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- c) For all proposed 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 Municipality in consultation with the appropriate railway company. Where applicable, the Municipality will ensure that sightline requirements of Transport Canada and the railway company are addressed.
 - d) Proponents of all proposed 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 implementation and maintenance of any required railway noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Municipality in consultation with the appropriate railway company.
 - f) The Municipality supports the reuse of abandoned rail corridors for potential trail systems, in accordance with the policies of Section 7.2.4.
 - g) The Municipality 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.
 - h) The Municipality will encourage the provision of a VIA rail station in Belle River.

7.2.6 Marine Facilities

The Lake St. Clair shoreline provides for important *marine facilities* and 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 Municipality:

- 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 Municipality 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;

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- viii) stormwater management;
 - ix) coastal and port engineering;
 - x) Conservation Authority permitting requirements and regulations; and
 - xi) economic and municipal fiscal impacts.

7.3 Sewage & Water Systems

The Municipality's Water and Wastewater Master Plan identifies the long-term servicing strategy for the Municipality of Lakeshore. The Municipality 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 Municipality.

7.3.1 Servicing Hierarchy

The preferred hierarchy of sewage and water services in the Municipality is outlined in Table 7.1 according to the settlement are type and 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 Type	Settlement Area	Servicing Requirement		Official Plan Section
			Water	Sewage	
Urban Areas	Primary	Belle River	Municipal	Municipal	7.3.1.1
	Secondary	Comber	Municipal	Municipal	7.3.1.1
	Secondary	Lighthouse Cove	Municipal	Municipal*	7.3.1.1
	Primary	Maidstone	Municipal	Municipal	7.3.1.1
	Secondary	Stoney Point/Pointe-Aux-Roches	Municipal	Municipal	7.3.1.1
Employment Areas	Secondary	Comber	Municipal	Municipal	7.3.1.1
	Secondary	Highway 401/County Road 19	Municipal	Private*	7.3.1.1
	Primary	Maidstone	Municipal	Municipal	7.3.1.1
	Secondary	Stoney Point/Pointe-Aux-Roches	Municipal	Municipal	7.3.1.1
Urban Reserve Areas	Primary	Maidstone	Municipal	Municipal**	7.3.1.1
Hamlet Areas	Secondary	North and South Woodslee	Municipal	Municipal**	7.3.1.1
	Secondary	Rochester Place/Deerbrook	Municipal	Municipal*	7.3.1.1
	Secondary	Ruscom	Municipal	Private*	7.3.1.2
	Secondary	St. Joachim	Municipal	Private*	7.3.1.2
	Secondary	Staples	Municipal	Private*	7.3.1.2
Waterfront Areas	Secondary	Belle River Strip	Municipal	Municipal*	7.3.1.1
	Secondary	Ruscom River Strip	Municipal	Municipal*	7.3.1.1
	Secondary	Puce River Strip	Municipal	Municipal*	7.3.1.1
	Secondary	Various un-named Settlement Areas along the Lake St. Clair shoreline	Municipal	Municipal*	7.3.1.1
Urban Fringe Areas	Secondary	Essex Fringe	Municipal	Municipal	7.3.1.1
	Secondary	Tilbury Fringe	Municipal	Private	7.3.1.2
Agricultural Area	-	-	Private	Private	7.3.1.3

* 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 (S. 7.3.1.1); municipal water and private sewage services (S 7.3.1.2); and private water and sewage services (S 7.3.1.3).

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 Municipality 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 Municipality 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 Municipality 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 MECF 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. The location of all municipal/communal sewage treatment plants are identified on Schedule “B3”.
- 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, for the purposes of minor infilling or rounding out of development, on the basis of a site-specific amendment to the Zoning By-law or Agreement with the Municipality, 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 are suitable for the long-term provision of such services with no negative impacts;
 - v) water and sewage servicing systems will satisfy the applicable development standards of the Municipality and approval of the authority having jurisdiction; and
 - vi) the proposed development is consistent with this Plan and Municipality objectives.

For the purposes of this policy, minor infilling or rounding out of development will be interpreted to mean the development of not more than three existing lots of record that are contiguous to or abutting existing development, has frontage and access to an open and improved public road that is maintained on a year-round basis, and appropriate water and sewage systems are provided, in accordance with the policies of this Plan.

- f) The application of a holding symbol in accordance with the policies of Section 8.3.2.1 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 available, 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 Municipality'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 Municipality:

- 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 Municipality's potable water system; and
 - site conditions are suitable for the long-term provision of such services.

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- b) The Municipality will ensure that municipal water systems perform within permitted operating standards. Prior to development approval involving significant lot creation and/or development, the Municipality 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 Municipality 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 Municipality 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 Municipality is satisfied that there is positive public benefit from such action for residents of the Municipality.
 - 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 Municipality 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 Municipality 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 Municipality will assume ownership and maintenance of the communal servicing system into perpetuity. In the case of condominium tenure, the Municipality 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 Municipality 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 Municipality.

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- h) Holding tanks will not be permitted for new development. Holding tanks will only be permitted for existing development where the Municipality is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the Municipality 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, and ensure that the minimum required setbacks from a shoreline, watercourse, and/or breakwall are maintained.
 - j) Development in proximity to any water pollution control plant (WPCP) or sewage treatment plant will adhere to the separation distances of the appropriate MECP 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 8.3.2.1 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; and
 - iii) any hazard land related issues, such as flooding and/or erosion control issues, are addressed prior to the removal of the holding symbol, to the satisfaction of the Municipality, in consultation with the applicable Conservation Authority.

7.3.1.3 Private Water & Sewage Services

The following will be the policy of the Municipality:

- 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. The Municipality will ensure that new development proposed on private sewage services will provide a suitable land mass to accommodate the septic system, and ensure that the minimum required setbacks from a shoreline or watercourse are maintained.

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- b) In areas outside of the established municipal sanitary sewer and potable water service areas, the Municipality 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 Municipality is satisfied that there is positive public benefit from such action for residents of the Municipality. The Municipality will undertake any extensions, in accordance with the applicable requirements of the *Environmental Assessment Act*.
 - c) The Municipality 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) The Municipality encourages and supports programs for monitoring the operation and maintenance of private septic systems to prevent failure and any potential impacts on the natural environment and water quality.
 - e) 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 Municipality 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 Municipality will assume ownership and maintenance of the communal servicing system into perpetuity. In the case of condominium tenure, the Municipality 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 Municipality 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 Municipality.

- f) Holding tanks will not be permitted for new development. Holding tanks will only be permitted for existing development where the Municipality is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the Municipality 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.

- g) 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, and ensure that the minimum required setbacks from a shoreline, watercourse, and/or breakwall are maintained.
- h) The application of a holding symbol in accordance with the policies of Section 8.3.2.1 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 Municipality:

- a) When unallocated servicing capacity does not exist for a proposed development, the Municipality 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 without negative impacts to the feature and/or its functions;
 - iv) the natural hazard constraints have been addressed to the satisfaction of the Municipality, in consultation with the appropriate Conservation Authority;
 - v) the provision of all municipal services, as appropriate, proceeds in an economically viable manner; and
 - vi) first priority is given to reserving servicing capacity for infilling, intensification and redevelopment outside of hazard lands.
- 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 Municipality may not support the extension of development approval and assign the servicing allocation to other developments or areas of the Municipality, 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 Municipality is satisfied with the merits of the request for an extension

of development approval, the Municipality 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 Municipality 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 Municipality 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, as well as potential negative impacts on adjacent lands. This impacts the quality of surface water as well as the natural environment. The Municipality will apply best management practices in dealing with stormwater management.

The following will be the policy of the Municipality:

- a) Prior to development approval of subdivisions or applications involving significant lot creation and/or development, the Municipality will require the preparation and approval of a stormwater management plan, which either implements the management concept of the Subwatershed Study (Section 5.1) with regional context considered as appropriate, if prepared, or is acceptable to the Municipality, 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 and impacts are understood on a regional basis as appropriate, 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 Municipality 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, and subject to approvals from the Municipality and appropriate Conservation Authority, where required. In reviewing individual development applications, the Municipality 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 Municipality will encourage the preparation of stormwater management plans on a watershed or subwatershed basis as determined in consultation with the relevant Conservation Authority.
- 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 Municipality will ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements.

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- k) The Ministry of Transportation will be consulted in relation to stormwater management plans and facilities in proximity to Provincial Highways.
 - l) The Municipality will own, operate and maintain all stormwater management facilities.
 - m) The Municipality will incorporate stormwater management requirements as a component of the development approvals process.
 - n) The Municipality will encourage effective, efficient and sustainable stormwater management and low impact development measures to support water quality maintenance and flood and erosion management.
 - o) The Municipality will seek to implement the recommendation of the Windsor/Essex Region Stormwater Management Standards Manual, Feb 9, 2018.

7.4 Waste Management

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

The following will be the policy of the Municipality:

- a) Waste management will include waste diversion (composting and recycling), waste disposal and waste as a potential resource. The Municipality 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 Municipality.
- c) Residential composting will be encouraged.
- d) The Municipality 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 Municipality'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 Municipality.

The following will be the policy of the Municipality:

- a) The Municipality 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 Municipality's planning activities, existing communication and transmission corridors and networks will be protected and enhanced.
- c) The Municipality will support the service providers and business community in the establishment of a modern telecommunications network.
- d) The Municipality will work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community.
- e) Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of that secondary uses require technical approval from the authority having jurisdiction.
- f) The Municipality 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 Municipality 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) Electricity generation facilities and transmission and distribution systems shall be permitted in all land use designations, subject to the applicable Environmental Assessment process, and any other applicable legislation and/or regulations.
- i) The Municipality 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.

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- j) The Municipality 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.
 - k) The Municipality will ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its environment.
 - l) The Municipality 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.
 - m) The Municipality 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.
 - n) The Municipality 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.
 - o) The Municipality will promote and encourage innovative telecommunications systems in the Municipality.
 - p) The Municipality will implement the Development and/or Redevelopment of Telecommunication Towers/Antenna Facilities Policy as a guide to undertaking consultation and the evaluation of telecommunication infrastructure proposals. The Municipality will encourage consultation between telecommunication carriers and the public to address matters such as co-location and optimal site selection for telecommunications systems, and encourage innovative measures to reduce their visual impact. The Municipality will strongly discourage the location of telecommunication towers within the Municipality's Urban Areas, Hamlet Areas, and Waterfront Areas, and direct the location of new telecommunication towers to the Municipality's Employment Areas and the Agricultural Areas, where appropriate.

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, as well as natural heritage features and areas and/or natural hazard land constraints, such as flooding, erosion, and safe access.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning to ensure that they are financially viable over their life cycle, which may be demonstrated through asset management planning; and are available to meet current and projected needs.

Public buildings, structures, infrastructure, easements or rights-of-way may be considered within any designation if suitable buffering and screening from adjacent uses are provided. Electricity generation facilities and transmission and distribution systems shall be permitted in all land use designations, subject to the applicable Environmental Assessment process, and any other applicable legislation and/or regulations.

8.0 IMPLEMENTING & MONITORING THE PLAN

This Official Plan will be implemented by means of the powers conferred upon the Municipality 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 Municipality, development control under the *Planning Act*, and the undertaking of public works.

8.1 The Planning Period

This Plan is based on a 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 planning horizon timeframe and will accordingly represent a long-term or permanent commitment.

Policies protecting Natural Heritage Features and resources and protecting development from risks associated with natural hazards require an indefinite timeframe to be effective, taking into account adaptation and mitigation policies related to a changing climate. 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 the 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 Municipality'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 Municipality, 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 Municipality:

- a) As provided for in the *Planning Act*, the Municipality will provide the opportunity for interested citizens and organizations to present submissions on the Plan no less than every ten years after the Plan comes into effect as a new Official Plan, and every five years thereafter, unless the Official Plan has been replaced by another new Official Plan. Through this process, the Municipality 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 Municipality 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) The Municipality will continue to monitor annually the supply and number of draft approved and registered vacant lots within the Municipality, and the number of new residential units occurring by way of intensification and redevelopment, and submit to the County.
- d) Monitoring of specific policies is prescribed in the policies of the Plan, and will be undertaken in accordance with those policies.
- e) The Municipality will continue to develop and maintain a Municipal geographic information system for planning and management purposes, and provide updated mapping information, statistics, forecasts and analyses related to planning issues and Plan policies.
- f) 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 Municipality may initiate an amendment process at any time.
- g) Where judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the Municipality'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.

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- h) 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.
 - i) Evaluate the quality/quantity and effectiveness of consultation with First Nations communities.

8.2.1 Amendments to the Plan

The Municipality 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 Municipality:

- 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 Municipality, 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 Municipality 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;

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- v) the impact of the proposed amendment on cultural heritage resources and/or Natural Heritage Features and risks associated with hazard land constraints;
 - vi) the impact on agricultural uses and land;
 - vii) the impact of the proposed amendment on the financial sustainability of the Municipality; and
 - viii) any other information determined by the Municipality, in consultation with the appropriate agencies, to be relevant and applicable.
- d) Where an application for an amendment to this Plan is refused by Municipal Council and a notice of appeal is filed, the Municipality may pursue mediation, conciliation or other dispute resolution techniques in an attempt to resolve the dispute, in accordance with the requirements of the *Planning Act*.

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 Municipality or existing portions of the Municipality 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 Municipality may choose to undertake a Special Planning Study or Secondary Plan for lands not identified as a Special Planning Area on Section 9.0 and 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 recognize and account for any existing uses within the area and will seek to direct new development to areas outside of natural heritage features and hazard lands.
- d) The establishment of a Special Planning Area or the preparation of a Secondary Plan will be approved by resolution of Municipal 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 9.0 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 Municipality. Should Council direct that a Secondary Plan be undertaken for an area that requires special land use policies, the Municipality may either share in the costs of preparing the Secondary Plan, choose to assume the costs without landowner

participation, or recover the costs from the landowners at the time of development through a site plan or subdivision agreement in accordance with Section 8.3.13 of this Plan.

- 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.
- i) Prior to undertaking a Secondary Plan, the Municipality in consultation with the County of Essex, appropriate Conservation Authority, other agencies as deemed appropriate, and the proponent, may establish a terms of reference for the preparation of the Secondary Plan and any required supporting studies, to the satisfaction of the Municipality.

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 Municipality 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 Municipality;
 - 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/or integration of significant cultural, built and natural heritage features and areas and hazard lands;
 - vi) the identification of the natural heritage system; and
 - vii) the phasing of development and infrastructure;

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- 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 Municipality, in order to provide the appropriate background information for a Secondary Plan, may require the undertaking of a number of background reports at the Municipality'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, the cumulative impact of development, and the identification of a natural heritage system, including supportive implementation policies;
- b) A master servicing plan;
- c) A stormwater management study;
- d) A watershed or subwatershed study;
- e) A hydrological study, floodway delineation and flood modeling study and/or erosion study for hazard lands and flood prone areas;
- f) A hydrogeological study;
- g) A traffic impact analysis;
- h) An urban design study;
- i) A parks and open space study;
- j) A community services and facilities study;
- k) A cultural heritage and archaeological resource study;
- l) An agricultural impact assessment;
- m) 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

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- iv) The impact on adjacent agricultural operations, including consideration of Minimum Distance Separation Formulae; and
 - n) Other studies as may be identified by the Municipality, in consultation with the relevant Conservation Authority.

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

8.3.2 Outline Plans

An Outline Plan provides a detailed description of how land will look like when it has been fully developed. Outline Plans occur prior to a Site Plan but will identify which pieces of land within it will require a Site Plan. Outline Plans include detailed assignment of land use, open space network, natural and cultural heritage networks, natural hazards and public realm and park design.

8.3.2.1 Purpose

- a) The Municipality of Lakeshore is committed to complete community development and establishing live, work, and play communities with high quality amenities and urban design.
- b) The purpose of this policy is to ensure development is holistically and thoughtfully designed and built to support healthy living with healthy environments.
- c) To create more efficient downstream planning approvals at the land use and subdivision stages.
- d) To allow Council an opportunity to endorse the detail design of new communities to ensure it meets their vision for the urban development of Lakeshore.

8.3.2.2 Scope

- a) The requirement for an Outline Plan will be identified through a corresponding Secondary Plan.
- b) Outline Plans will not be required for single site development.
- c) Outline Plans are intended to be more detailed than Secondary Plans by identifying a detailed land use framework, road and trails network, parks and open space system, among other uses identified by the Municipality.

8.3.2.3 Policy

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- a) The Municipality of Lakeshore will require Outline Plans to be developed by applicants in advance of Land Use approval and subsequent to a corresponding Secondary Plan approval;
 - b) The requirement for an Outline Plan will be identified within a Secondary Plan and it may represent one or several phases of development;
 - c) Land Use Applications and plans of subdivision must align to an approved Outline Plan;
 - d) If an alternate Land Use is proposed within an already approved Outline Plan, then the applicant shall make an amendment to the Outline Plan before a Development Application is approved;
 - e) Outline Plans will be approved by Council through resolution.

8.3.3 Zoning By-law

The Municipality 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 Municipality 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*.

8.3.3.1 Holding Zones

Holding zones may be incorporated into the Municipality's Zoning By-law in order to achieve orderly development and ensure that policies established in this Plan have been met. The Municipality may place a holding symbol on the zone that prevents development from occurring until the Municipality is satisfied that certain conditions have been met, allowing the Municipality 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 Municipality'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;

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- 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 Municipality;
 - e) That natural heritage features and areas and/or natural hazard land constraints, such as flooding, erosion, and safe access, have been satisfactorily addressed;
 - f) The completion of the appropriate supporting study(ies) to the satisfaction of the Municipality, in consultation with other agencies, as required;
 - g) Confirmation that the requisite permits and approvals from external authorities have been received;
 - h) The completion of a development or the subdivision of land, including the negotiation of a development or subdivision agreement;
 - i) That site plan approval has been granted by the Municipality, and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*;
 - j) That the specific policies of this Plan have been complied with; and/or
 - k) Additional actions or requirements may be identified in the Official Plan through a site-specific or general amendment, at the discretion of the Municipality.

8.3.3.2 Temporary Use By-laws

The Municipality 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 Municipality 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 Municipality will consider the following:

- a) the proposed use will be of a temporary nature, and will not entail intensification or development within hazard lands or 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;

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- 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 Municipality will consider what is in the best interests of the public.

8.3.3.3 Interim Control By-laws

The Municipality 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.

8.3.3.4 Bonus/Density Increases

In accordance with the *Planning Act*, the Municipality 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.

The money received by the Municipality in relation to the above will be paid into a special account and used only for the facilities, services and other matters as specified in the by-law. The Municipality will annually, provide Council a financial statement relating to the special account, in accordance with the *Planning Act*.

8.3.4 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 Municipality 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 Municipality 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 Municipal 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 Municipality will explore opportunities to implement the policies of Section 5.2.4 relating to the establishment of Natural Heritage linkages. The Municipality may require the dedication of lands that it determines to be part of the natural heritage system as part of the conditions of approval.

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- 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 Municipality and the development proponent.
 - i) All plans of condominium will be subject to a development agreement between the Municipality 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 Municipality. Under no circumstances will the Municipality be obligated to accept parklands being offered in a proposed plan of subdivision.
 - k) The Municipality 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 Municipality 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 Municipality may extend the approval time period, prior to its expiration.
 - m) The Municipality 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 Municipality 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 Municipality 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.

8.3.5 Site Plan Control

The Municipality 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 Municipality.
- 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.

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- 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 agriculture-related uses and on-farm diversified uses are proposed.
 - d) The Municipality 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 Municipality.
 - e) The Municipality will consult the appropriate Conservation Authority and any other relevant agency when considering applications for site plan approval, where applicable.
 - f) The Municipality may require consultation with neighbouring landowners or a public meeting, when considering applications for site plan approval, where applicable.
 - g) The Municipality may apply certain conditions to site plan approval, and may require that a certain standard of design be applied.
 - h) The Municipality will require financial security through bonding letters of credit or other financial arrangement prior to development.

8.3.6 Committee of Adjustment

8.3.6.1 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. Furthermore, the Municipality may adopt a by-law to establish criteria that must be complied with, for the Committee of Adjustment in considering minor variance applications, or alternatively, criteria which may be prescribed by the Province.

8.3.6.2 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:

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- 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.
 - The lot to be retained and the lot to be severed will have safe access appropriate for the nature of the development and the natural hazard, in consultation with the applicable Conservation Authority. The lots shall be accessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards.
- 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 Municipality 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

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- 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.
 - The proposed lot(s) will not create undue hardship on adjacent, built neighbouring lots with grading activity, especially in areas subject to flood proofing requirements where fill is required to raise the lot(s) in question.
 - 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 Municipality 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 Municipality 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 or within hazard lands, where the constraint can not be appropriately mitigated;
 - iii) the land is inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been

demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

- iv) 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;
- v) the severance would result in the separation of a Secondary Dwelling Unit;
- vi) the severance would result in the creation of a new building lot for residential purposes in the Agricultural Designation, in accordance with the policies in Section 6.2.3;
- vii) Provincial, County or Municipality transportation objectives, standards or policies cannot be maintained; or
- viii) the created and retained parcels cannot be provided with an adequate level of service.

8.3.7 Existing Uses

Certain lands within the Municipality 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 Municipality:

- a) Nothing in this Plan will affect the continuance of uses legally existing on the date this Plan was adopted by Council.
- b) The Municipality 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;
 - v) that natural hazards can be appropriately avoided and/or mitigated; and

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- vi) 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 or the natural hazard constraint has been appropriately addressed and mitigated to the satisfaction of the Municipality, in consultation with the appropriate Conservation Authority. Within an identified natural hazard, the existing use may be rebuilt only in accordance with the relevant Conservation Authority policies and procedures.
 - 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 Municipality 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 Municipality 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.

8.3.8 Non-Conforming Uses

The Municipality 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 Municipality 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;

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- 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) the proposed expansion can appropriately avoid or mitigate natural hazards;
 - v) conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
 - vi) 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, or the natural hazard constraint has been appropriately addressed and mitigated to the satisfaction of the Municipality, in consultation with the appropriate Conservation Authority.

8.3.9 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.

8.3.10 Land Acquisition

The Municipality 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 Municipality will consider all options for the acquisition of land, including:

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- 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 Municipality will consider acquisition of additional lands for park and open space purposes.
- c) Notwithstanding the above, the Municipality 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.

8.3.11 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 Municipality, or throughout the Municipality. 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 Municipality 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.

8.3.12 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 Municipality 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 Municipality 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 Municipality 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/Brief – Section 4.2.1 and 4.3.1.2

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- iii) Archaeological Assessment – Section 4.2.3.4
 - iv) Hydrogeological Study – Section 5.1
 - v) Hydrological Study – Section 5.4
 - vi) Hydraulic Floodway Analysis and Detailed Flood Line Mapping Study – Section 5.4
 - vii) Shoreline Erosion or Coastal Engineering Study – Section 5.4
 - viii) Groundwater Impact Assessment – Section 5.1.1
 - ix) Environmental Impact Assessment (EIA) – Section 5.2.6
 - x) Record of Site Condition (RSC) – Section 5.4.2.1.1
 - xi) Phase I Environmental Site Assessment (ESA) – Section 5.4.2.1.1
 - xii) Site Screening Questionnaire, where a Phase 1 Environmental Site Assessment is not required
 - xiii) Noise and/or Vibration Study – Section 5.4.2.3
 - xiv) Transportation Impact Study – Section 7.2.2
 - xv) Parking Study – Section 7.2.2.2
 - xvi) Functional Servicing Report – Sections 7.3.1.1 or 7.3.1.2
 - xvii) Stormwater Management Plan – Sections 7.3.3 and 5.1
 - xviii) Planning Rationale Report – Section 8.2.1 a) and 8.3.1.3 j)
 - xix) Master Environmental Servicing Plan (MESP) – Section 8.3.1.3
 - xx) Agricultural Impact Assessment – Section 6.2.4
 - xxi) Built Heritage Impact Study
 - xxii) Lighting Study
 - xxiii) Fire Safety Plan will be required for all new and existing buildings to be used;
 - xxiv) Waste Management Plan that identifies how all waste (solid and liquid) will be managed;
 - xxv) Odour/Ventilation Plan to mitigate noxious odours being released into the atmosphere that may cause discomfort for neighbouring properties;
 - xxvi) Crime Prevention Through Environmental Design (CPTED) analysis; and
 - xxvii) 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 Municipality 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 Municipality and/or appropriate Conservation Authority. Notification of a complete application will be given to the applicant and all other parties by the Municipality in accordance with the *Planning Act*.

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- f) The Municipality 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.
 - g) When making a decision that relates to a planning matter under the *Planning Act*, the approval authority will have regard to:
 - i) any decision that is made under the *Planning Act* by Municipal Council or by an approval authority and relates to the same planning matter; and
 - ii) any information and material that the Municipal Council or approval authority considered in making the decision described in clause (i).

8.3.13 Landowner Coordination and Cost-Sharing

In order to ensure appropriate and orderly development within the Municipality, the Municipality will ensure that the required agreements respecting infrastructure provision including financial provisions and cost sharing arrangements are in place prior to development proceeding.

- a) To ensure that property owners contribute equitably towards the provisions of community and infrastructure facilities such as community use lands, parks, and local infrastructure facilities or public works (i.e. over sizing) and including roads, sanitary, water and storm water facilities, financing and indexing adjustments, property owners shall be required to enter into one or more developer (private) cost sharing agreements as a condition for the development of their lands, providing for the equitable distribution of the costs (including lands) of the aforementioned community and common public facilities where such costs are not dealt with under the *Development Charges Act*.
- b) Prior to the approval of any development applications, the Municipality may require landowners to enter into an agreement as set out in (a) above. For those facilities not of community wide benefit, costs will only be allocated to those landowners who are benefited by the specified work. This may be implemented through a condition of Draft Plan of Subdivision approval or development agreement.
- c) As a condition of development approval, the Municipality shall require that appropriate arrangements have been made between the Municipality and/or benefitting landowners to require the equitable payment for the required infrastructure or services which are required to serve the development.
- d) Notwithstanding subsection c), the Municipality may continue to process development applications, but will not approve development until such time as the required cost recovery or cost sharing agreements are in place, to the satisfaction of the Municipality.

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- e) The Municipality shall be satisfied that the proposed developments are coordinated to ensure the appropriate provision of and extension of infrastructure.
 - f) The Municipality may require a letter of clearance from the trustee of the landowners cost sharing group to confirm that the landowner is in good standing with the landowners group, as a condition of draft plan approval.
 - g) The development of individual parcels of land should generally not be permitted in the absence of participation in a cost recovery or cost sharing agreement, where required to ensure orderly development.
 - h) The cost sharing agreements may be registered on title for each participating landowner to ensure that the covenants and obligations of the cost sharing agreement survive any transfer of ownership of the specific parcel of land.
 - i) The Municipality may establish more detailed policies to ensure landowner coordination and cost-sharing agreements are in place through Secondary Plans.

8.4 Engagement & Participation

The public actively participated and First Nations were engaged in the development of this Plan. The Municipality will take steps to ensure the continuation of an engagement program, to actively involve all parties 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 Municipality:

- a) The Municipality will provide the opportunity for residents, property owners, and First Nations 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*. This will include such *Planning Act* approvals related to Official Plan Amendments, Zoning By-law Amendments, Draft Plans of Subdivision/Condominium and consent applications, in accordance with the *Planning Act*. The following policies will apply to public consultation and participation:
 - i) the Municipality 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 Municipality may establish the engagement program it feels will best deal with the matters before it.
 - ii) the Municipality 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 Municipality are aware of the amendment.
 - iii) the Municipality 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, First Nations, and Council so that informed decisions can be made.
 - v) the Municipality will encourage participation in the Essex Region trails planning initiative.
 - vi) the Municipality will encourage participation in the County tourism marketing strategy.
- b) The Municipality will actively seek the views and participation of First Nations communities and the general 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 and First Nations 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.
- c) The Municipality will continue to consult with First Nations communities to:

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- i) Examine opportunities to further promote education about First Nations and environmental history in Lakeshore; and
 - ii) Explore and consider potential economic partnerships with First Nations.

8.5 Cross-Jurisdictional Coordination

The Municipality 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 Valley Conservation Authority, and other agencies.

The following will be the policy of the Municipality:

- a) The Municipality 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) promoting economic development strategies;
 - iii) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - iv) managing infrastructure, electricity generation facilities and transportation and distribution systems, multimodal transportation systems, public service facilities and waste management systems;
 - v) managing ecosystem, shoreline and watershed related issues;
 - vi) managing natural and human-made hazards and taking into consideration potential climate change impacts;
 - vii) population, housing and employment projections, based on regional market areas; and
 - viii) addressing housing needs in accordance with provincial policy statements such as the Ontario Housing Policy Statement.
- b) Throughout its planning activities and administration, the Municipality will encourage and assist the County of Essex in identifying, coordinating and allocating appropriate population, housing and employment forecasts and allocations for the Municipality 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 Municipality; and
 - iii) the Municipality will work with the County and the other local municipalities to ensure appropriate growth projection allocations to the Municipality of Lakeshore through subsequent reviews of the County Official Plan.
- c) The Municipality will coordinate on planning matters with Aboriginal communities.
- d) The Municipality will work with the County, local municipalities, Conservation Authorities, and relevant agencies to coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.

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- e) The Municipality 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 Municipality will work in cooperation with neighbouring municipalities and transit providers to provide a viable transit service for the Municipality.

8.6 Financial Management

The Municipality 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 Municipality 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 Municipality:

- a) The Municipality may use the population, dwelling and employment targets in the Plan in budget planning, and to coordinate public works and related initiatives.
- b) The Municipality 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 Municipality 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 Municipality will recover all growth-related capital costs through development charges, in accordance with Provincial legislation. The Municipality may pass development charges by-laws that apply to the Municipality, as a whole and/or that apply to specific geographic areas within the Municipality.
- e) The Municipality 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 Municipality 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 Municipality, if suitable mitigation measures are not available.

8.7 Interpretation

Municipal Council, appointed Committees, and Municipal 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 Municipality 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 Municipality. 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, natural hazard lands, marginal land areas and resource areas identified on Schedule “B” may be further refined through an Environmental Impact Assessment (EIA), or floodplain and erosion study. 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 Municipality, will apply.

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- 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 Municipality 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 and areas and limited uses within hazard lands. This will be deemed to include activities and services provided under the *Municipal Act*, *Drainage Act* or any other legislation.
 - l) For the purposes of policy 8.7.k), electricity generation facilities and transmission and distribution systems shall be permitted in all land use designations, subject to the applicable Environmental Assessment process, and any other applicable legislation and/or regulations.
 - m) 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.
 - n) 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.
 - o) 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.
 - p) 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.
 - q) The references to “the Municipality” in this Plan will mean the Corporation of the Municipality of Lakeshore, a municipality in the Province of Ontario to which this Plan applies.
 - r) 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.

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- s) 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, 2020. Should, at any time, the Province amend the Provincial Policy Statement, the Municipality will amend the Plan in a manner that reflects the legislative requirements to implement the Provincial Policy Statement no less frequently than 10 years after the Plan comes into effect as a new Official Plan; and every 5 years thereafter, unless the Plan has been replaced by another new Official Plan, or otherwise as directed by Provincial legislation.

The Provincial Policy Statement will be implemented in a manner that is consistent with the recognition and affirmation of the existing Aboriginal and treaty rights in Section 35 of the *Constitution Act, 1982*, the *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.

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 Municipality 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 Municipality:

- a) the application of “shall be consistent with” does not imply that the Municipality does not have the ability to develop policies and make planning decisions to address unique local circumstances and context, however the Municipality’s planning decisions will achieve the desired outcomes of the Provincial Policy Statement;
- b) the Municipality’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”.

8.8 Definitions

The following definitions are used throughout this Plan and are intended to assist in the interpretation of the policies and land use schedules of the Plan. Where definitions are taken directly from Provincial or County documents, they are cited.

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

Accessory building or structure: means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot and that is not used for human habitation. Accessory buildings or structures may also be referred to as accessory dwellings or accessory units.

Accessory use: means the use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same lot.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed. (Source: PPS, 2020)

Adjacent or Adjacent lands: means:

- a) those lands contiguous to existing or planned corridors and transportation facilities where development would have a negative impact on the corridor or facility. The extent of the adjacent lands may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives; or
- b) those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives; or
- c) for those lands contiguous to lands on the surface of known petroleum resources, mineral deposits, or deposits of mineral aggregate resources where it is likely that development would constrain future access to the resources. The extent of the adjacent lands may be recommended by the Province; or
- d) for those lands contiguous to a protected heritage property, or otherwise defined in the municipal official plan. (Source: Adapted from PPS, 2020)

Adaptive reuse: means the renovation of a building or site to include elements that allow a particular use or uses to occupy a space that originally was intended for a different use.

Adverse effects: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;

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- e) impairment of the safety of any person;
 - f) rendering any property or plant or animal life unfit for human use;
 - g) loss of enjoyment of normal use of property; and
 - h) interference with normal conduct of business. (Source: PPS, 2020)

Affordable: in the case of housing, means:

- a) in the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.
- b) in the case of rental housing, the least expensive of:
 - i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area. (Source: PPS, 2020)

Agricultural condition: means

- a) in regard to specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) in regard to prime agricultural land outside of specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored. (Source: PPS 2020)

Agricultural uses: means the growing of crops, including nursery, biomass, 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, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (Source: PPS 2020)

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation. (Source: PPS 2020)

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. (Source: PPS 2020)

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping. (Source: PPS 2020)

Alternative energy source or system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. (Source: PPS, 2020)

Arterial road or system: means a system of roads that form the main traffic routes within the County. They are intended to provide fast, efficient vehicular connections from one part of the County to another. Generally, direct access from arterial roads is restricted. (County of Essex Official Plan)

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. (Source: PPS, 2020)

Areas of archaeological potential: means areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist. (Source: PPS, 2020)

Areas of mineral potential: means areas favourable to the discovery of mineral deposits due to geology, the presence of know mineral deposits or other technical evidence. (Source: PPS, 2020)

Areas of Natural and Scientific Interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. (Source: PPS, 2020)

Assisted housing: means housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

Barrier: means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice. (Source: *Accessibility for Ontarians with Disabilities Act, 2005*)

Bed and breakfast establishment: mean a single detached dwelling in which no more than three rooms are made available by the residents of the said dwelling for the temporary accommodation of travelers in the course of which no assistance is offered by any person not residing in the dwelling.

Brownfield sites (brownfields): means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. (Source: PPS, 2020)

Built heritage resources: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage

value or interest as identified by a community, including an Indigenous community. Built heritage resources are generally located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial and/or federal registers. (Source: PPS, 2020)

Cannabis Production Facility: means lands, buildings or structures used for producing, processing or destroying of cannabis which is authorized by license issued by the Federal Minister of Health, pursuant to the previous Access to Cannabis for Medical Purposes Regulations, SOR/2016-230, to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended from time to time, or any successor thereto. This includes micro-cultivation, standard cultivation and nursery licenses issued under the current Government of Canada Cannabis Regulations (SOR/2018-144) that are enabled by the Controlled Drugs and Substances Act, the Food and Drugs Act and the Cannabis Act.

Cannabis Retail Outlet: means a building, or part thereof, wherein one or any of the following activities occur:

- a) the storage, dispensing or retail sale of cannabis, including but not limited to cannabis-based edible products, for recreational purposes;
- b) cannabis is consumed recreationally in any form.

A cannabis retail outlet shall not be interpreted to be a permitted use in any designation where similar commercial and retail-type uses may be permitted, unless expressly defined.

Character: means the collective qualities and characteristics that distinguish a particular area or neighbourhood.

Coastal wetland: means

- a) any wetland that is located on Lake Erie, Lake St. Clair or the Detroit River; or
- b) any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave uprush) of the large water body to which the tributary is connected. (Source: County of Essex Official Plan)

Comprehensive rehabilitation: means rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations. (Source: PPS, 2020)

Comprehensive review: as defined by the PPS, means an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

- a) is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
- b) utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;

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- c) is integrated with planning for infrastructure and public service facilities, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
 - d) confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
 - e) confirms that sewage and water services can be provided in accordance with Section 7.3 of this Plan; and
 - f) considers cross-jurisdictional issues.

In undertaking a comprehensive review the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

A comprehensive review is distinguished from a Local Comprehensive Review (LCR) as defined in Section 3.0 of this Plan. (Source: Adapted from PPS, 2020)

Complete application: means all supporting studies required by this Plan must be submitted at the time of submitting the application in order to deem the application complete.

Conserve or Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments. (Source: PPS, 2020)

Conservation Authority/Authorities: means the Essex Region Conservation Authority or the Lower Thames Valley Conservation Authority. (Source: County of Essex Official Plan)

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act, or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms. (Source: PPS, 2020)

Defined portions of the one hundred year flood level along connecting channels: means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Clair and Detroit Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts. (Source: County of Essex Official Plan)

Deposits of mineral aggregate resources: means an area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction. (Source: PPS, 2020)

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated and available for the purposes of this definition. (Source: PPS, 2020)

Designated growth areas: means lands within settlement areas designated in this Plan for growth over the long-term planning horizon, but which have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth, as well as lands required for employment and other uses. (Source: PPS, 2020)

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source. (Source: PPS, 2020)

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain infrastructure authorized under an environmental assessment process; and
- b) works subject to the *Drainage Act*. (Source: PPS, 2020)

Development application: means a formal request for an Official Plan Amendment, change in zoning, site plan approval, land conveyance, part lot control, minor variance approval, plan of subdivision, and/or condominium.

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes-St. Lawrence River System and large inland lakes, as identified by Provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance. (Source: PPS, 2020)

Dwelling unit: means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals. (Source: *Planning Act*)

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions. (Source: PPS, 2020)

Employment Area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (Source: PPS, 2020)

Environmental Impact Assessment (EIA): means an analysis of the potential effects on the natural environment from a project, in accordance with the requirements of Section 5.2.6 of this Plan.

Existing use: means the use of any land, building or structure legally existing on the day of adoption of the Plan.

Endangered species: means a species that is classified as “Endangered Species” on the Species at Risk in Ontario List, as updated and amended from time to time. (Source: PPS, 2020)

ERCA: means the Essex Region Conservation Authority. (Source: County of Essex Official Plan)

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100-year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance. (Source: PPS, 2020)

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion. (Source: PPS, 2020)

Fish: means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles. (Source: PPS, 2020)

Fish habitat: as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. (Source: PPS, 2020)

Flood fringe: for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. (Source: PPS, 2020)

Flood plain: for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards. (Source: PPS, 2020)

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
 - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed

over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

- ii. the one hundred year flood; and
- iii. a flood which is greater than i) or ii) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard). (Source: PPS, 2020)

Flood proofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding hazards along river, stream and small inland lake systems. (Source: PPS, 2020)

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe. (Source: PPS, 2020)

Floor area, gross: means the total floor area in a building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street unloading, parking and mechanical.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives. (Source: PPS, 2020)

Garden suite: means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. (Source: *Planning Act*, 1990)

Great Lakes - St. Lawrence River System: means the major water systems consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario. (Source: PPS, 2020)

Green Building: means a building designed to conserve resources and reduce negative impacts on the environment - whether it is energy, water, building materials or land.

Green Infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs. (Source: PPS, 2020)

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations. (Source: PPS, 2020)

Group home: means a licensed or approved or federally or Provincially-funded single housekeeping unit in a dwelling in which three to ten residents (excluding staff), by reason of their emotional, mental, social or physical condition or legal status are required to live as a unit under responsible supervision, but does not include a place maintained and operated primarily for the care of or occupation by inmates or persons placed on probation or released on parole or for any other correctional purpose.

Habitat of endangered species and threatened species: means habitat within the meaning of Section 2 of the Endangered Species Act, 2007. (Source: PPS, 2020)

Hazard lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. (Source: PPS, 2020)

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time. (Source: PPS, 2020)

Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography). (Source: PPS, 2020)

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological. (Source: PPS, 2020)

Heritage attributes: means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property). (Source: PPS, 2020)

Highly Vulnerable Aquifer: means an aquifer that can be easily changed or affected by contamination from both human activities and natural process as a result of: a) its intrinsic susceptibility, as a function of the thickness and permeability of overlaying layers, or; b) by preferential pathways to the aquifer. (Source: County of Essex Official Plan)

High quality: means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP). (Source: PPS, 2020)

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things. (Source: PPS, 2020)

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located. (Source: PPS, 2020)

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located. (Source: PPS, 2020)

Infill: means the development of additional buildings on a property, site or area to support intensification, create higher densities, and fill development gaps in existing neighbourhoods.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. (Source: PPS, 2020)

Intake Protection Zone (IPZ): means a zone established around a surface water intake of drinking water as prescribed in the Technical Rules: Clean Water Act, 2006. (Source: County of Essex Official Plan)

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; or
- d) the expansion or conversion of existing buildings. (Source: PPS, 2020)

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot. (Source: PPS, 2020)

Lot: means a parcel or tract of land which is recognized as a separate parcel of land under the provisions of the *Planning Act*.

Low and moderate income households: means:

- a) In the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the regional market area; or
- b) In the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the regional market area. (Source: County of Essex Official Plan)

LTVCA: means the Lower Thames Valley Conservation Authority. (Source: County of Essex Official Plan)

Major facilities: means facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities. (Source: PPS, 2020)

Major goods movement facilities and corridors: means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: intermodal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives. (Source: PPS, 2020)

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities. (Source: PPS, 2020)

Mine hazards: means any feature of a mine as defined under the Mining Act or any related disturbance of the ground that has not been rehabilitated. (Source: PPS, 2020)

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregate resources or petroleum resources. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite). (Source: PPS, 2020)

Mineral aggregate operation: means:

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- a) lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
 - b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
 - c) associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products. (Source: PPS, 2020)

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*. (Source: PPS, 2020)

Mineral deposits or resources: means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction. (Source: Adapted from PPS, 2020)

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use. (Source: PPS, 2020)

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. (Source: PPS, 2020)

Multimodal transportation system: means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine. (Source: PPS, 2020)

Municipal sewage services: means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality including centralized and decentralized systems. (Source: PPS, 2020)

Municipal water services: means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002*, including centralized and decentralized systems. (Source: PPS, 2020)

Mixed use: means development that includes a range of uses, including commercial and residential uses, that provides a variety of housing opportunities, retail, office, leisure, recreation and social opportunities.

Natural environment: means the land, air or water or any combination or part thereof.

Natural heritage features and areas: means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E, fish habitat, significant woodlands and significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area. (Source: PPS, 2020)

Natural heritage system: means a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and ecological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used. (Source: PPS, 2020)

Negative impacts: means:

- a) in regard to policy 1.6.6.4 and 1.6.6.5 of the Provincial Policy Statement, potential risks to human health and safety and degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2 of the Provincial Policy Statement, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;
- c) in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities. (Source: Adapted from PPS, 2020)

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act. (Source: PPS, 2020)

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to,

home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses. (Source: PPS, 2020)

One-hundred year flood: for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year. (Source: PPS, 2020)

One-hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups. (Source: PPS, 2020)

Other water related hazard: means water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship generated waves, ice piling and ice jamming. (Source: PPS, 2020)

Partial services: means:

- a) Municipal sewage services or private communal sewage services combined with individual on-site water services; or
- b) Municipal water services or private communal water services combined with individual on-site sewage services. (Source: PPS, 2020)

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons. (Source: PPS, 2020)

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons. (Source: PPS, 2020)

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial plans, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Northern Development and Mines or Independent Electricity System Operator (IESO) or any successor to those

ministries or entities is actively pursuing the identification of a corridor. Approaches for the protection of planned corridors may be recommended in guidelines developed by the Province. (Source: PPS, 2020)

Portable asphalt plant: means a facility:

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project. (Source: PPS, 2020)

Portable concrete plant: means a building or structure:

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project. (Source: PPS, 2020)

Prime agricultural area or agricultural area: means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province. (Source: PPS, 2020)

Prime agricultural land: means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection. (Source: PPS, 2020)

Private communal sewage services: means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality. (Source: PPS, 2020)

Private communal water services: means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences. (Source: PPS, 2020)

Protected heritage property: means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites. (Source: PPS, 2020)

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair. (Source: PPS, 2020)

Public service facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services and cultural services. Public service facilities do not include infrastructure. (Source: PPS, 2020)

Quality and quantity of water: is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime. (Source: PPS, 2020)

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities. (Source: PPS, 2020)

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites. (Source: PPS, 2020)

Regional market area: refers to an area, generally broader than a lower tier municipality, that has a high degree of social and economic interaction. The County of Essex and the City of Windsor serve as the regional market area. (Source: County of Essex Official Plan)

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces. (Source: PPS, 2020)

Renewable energy system: means a system that generates electricity, heat and/or cooling from a renewable energy source. (Source: PPS, 2020)

Renewable energy project: means the construction, installation, use, operation, changing or retiring of a renewable energy generation facility. (Source: *Green Energy Act*, 2009)

Renewable Energy Undertaking: means a renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a renewable energy testing project. (Source: *Planning Act*, 1990)

Reserve sewage system capacity: means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6 of the PPS, reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under *the Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage. (Source: PPS, 2020)

Reserve water system capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development. (Source: PPS, 2020)

Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation). (Source: PPS, 2020)

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;
- d) development and introduction of new housing options within previously developed areas;
- e) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and
- f) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other housing options. (Source: PPS, 2020)

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event. (Source: PPS, 2020)

Second dwelling unit: means a self-contained residential unit with kitchen and bathroom facilities within a dwelling or, where expressly permitted within this Plan or a local municipal Official Plan, within structures accessory to a dwelling (such as above laneway garages). A second dwelling unit must comply with any applicable laws and standards. This includes the Building Code, the Fire Code and property standards bylaws. (Source: Adapted from County of Essex Official Plan)

Secondary uses: means uses secondary to the principal use of the property, including but not limited to home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property. (Source: County of Essex Official Plan)

Sensitive: in regard to surface water features and ground water features means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. (Source: PPS, 2020)

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. (Source: PPS, 2020)

Servicing agreement: means a legal agreement between a property owner and the municipality to extend or modify municipal services within the municipal road allowance in order for a site to be developed.

Settlement area(s) means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) Built-up areas where development is concentrated and which have a mix of land uses; and
- b) Lands which have been designated in an Official Plan for development over the long term planning horizon. In cases where land in designated growth areas is not available, the “Settlement Area” may be no larger than the area where development is concentrated. (Source: Adapted from PPS, 2020)

Settlement Area, Primary means “Settlement Areas” identified on Schedule “A” of this Plan that are focal areas of public investment as well as a concentration of commercial, recreational, cultural and entertainment uses that accommodate a significant share of population and employment growth. Urban growth centres have compact built form, transit infrastructure and serve as high density major employment centres. (Source: Adapted from County of Essex Official Plan)

Settlement Area, Secondary means “Settlement Areas” identified on Schedule “A” of this Plan that are intended to develop within their existing boundaries as of the date of approval of this Plan. (Source: Adapted from County of Essex Official Plan)

Sewage and water services: includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services. (Source: PPS, 2020)

Servicing plan: means an analysis of the local municipality’s provisioning and phasing of water and wastewater and other infrastructure to service future growth and development.

Significant: means

- a) in regard to wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c) in regard to other features and areas in policy 2.1 of the PPS, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;
- d) in regard to mineral potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

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- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

Criteria for determining significance for the resources identified in sections (c) – (d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. (Source: PPS, 2020)

Significant Groundwater Recharge Area: means an area in which: (a) there is a high volume of water moving from the surface into the ground and (b) groundwater serves either as source water or the water that supplies a coldwater ecosystem such as a brook trout stream. (Source: County of Essex Official Plan).

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a) of the PPS, site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a) of the PPS. (Source: PPS, 2020)

Site Plan Control: means a process which requires the preparation of detailed site specific development plans, and enables the review of such matters as building location, and massing, access, outdoor storage, amenity space, walkways, landscaping, loading and parking facilities, accessibility, lighting, grading and external non-design features. Site Plan Control can only be used to establish on-site physical conditions such as setbacks and layout as well as road widening and intersection improvement.

Source water: means untreated water in streams, rivers, lakes or underground aquifers which is used for the supply of raw water for drinking water systems. (Source: County of Essex Official Plan)

Source water protection: means action taken to prevent the pollution and overuse of municipal drinking water sources, including groundwater, lakes, rivers and streams. Source water protection involves developing and implementing a plan to manage land uses and potential contaminants. (Source: County of Essex Official Plan)

Source protection plan: means a plan that protects drinking water sources from contamination or overuse. These sources of water can include surface water, such as lakes, rivers, streams, or groundwater. (Source: County of Essex Official Plan)

Special needs: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to long-term care homes, adaptable and

accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons. (Source: PPS, 2020)

Special Policy Area: means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province. A Special Policy Area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain. (Source: PPS, 2020)

Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops. (Source: PPS, 2020)

Streetscape: means the visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

Surface water: means water collecting in a stream, river, lake, and wetland. It is the source for drinking water from the intakes in the Great Lakes. (Source: County of Essex Official Plan)

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics. (Source: PPS, 2020)

Sustainable: means activities that meet present needs without compromising the ability of future generations to meet their own needs. (Source: County of Essex Official Plan)

Temporary residential unit: means a dwelling erected in such a way as to allow for its removal at a later date without leaving a foundation or other permanent services and/or facilities. (Source: County of Essex Official Plan)

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time. (Source: PPS, 2020)

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience

of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the transportation system. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives. (Source: PPS, 2020)

Transportation demand management: means a set of strategies that result in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost. (Source: PPS, 2020)

Transportation systems: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance. (Source: PPS, 2020)

Two zone concept: means an approach to flood plain management where the flood plain is differentiated in two parts: the floodway and the flood fringe. (Source: PPS, 2020)

Utility: means a water supply, storm or sanitary sewage, gas or oil pipeline, electricity generation facilities, electricity transmission and distribution systems, towers, communications/telecommunications lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

Utility corridors: means routes for the transmission of oil and natural gas, hydroelectric power transmission lines and transformer facilities, storm drainage systems, sanitary sewer pipelines, water pipe lines and telephone and other communications trunk cables, etc. (Source: County of Essex Official Plan)

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. (Source: PPS, 2020)

Vulnerable: means surface and/or ground water that can be easily changed or impacted. (Source: PPS, 2020)

Waste management system: means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites. (Source: PPS, 2020)

Watershed: means an area that is drained by a river and its tributaries. (Source: PPS, 2020)

Wave uprush: means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline. (Source: PPS, 2020)

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way. (Source: PPS, 2020)

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition. (Source: PPS, 2020) See also the definition for *Significant*.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire. (Source: PPS, 2020)

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. (Source: PPS, 2020) See also the definition for *Significant*.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest". (Source: PPS, 2020)

9.0 SPECIAL PLANNING AREAS AND SECONDARY PLANS

9.1 Introduction

Special Planning Areas have been established based on the growth management framework of the Municipality as outlined in Section 3.0 of this Plan and identified on Schedule “A”. Special Planning Area Studies or Secondary Plans may be prepared for the identified Special Planning Areas or other areas of the Municipality 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 Municipality. 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.
- g) Amy Croft Secondary Plan Area

The Municipality 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 9.0 of this Plan and the relevant schedules to this Plan will be amended or new schedules may be added.

9.2 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 Municipality 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 Municipality 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 Municipality will consider establishing a direct pedestrian connection/pathway, as appropriate and reasonable.

9.3 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.

9.3.1 Advance Boulevard / Croft Drive

The following policies will provide guidance with respect to transportation, access and servicing requirements for lands in the vicinity of Advance Boulevard and Croft Drive and planned road connections to County Road 22 and Silver Creek Industrial Road:

- a) An Urban Arterial Road will be constructed to connect County Road 22 and Little Baseline Road as shown on Schedule "D2". The Urban Arterial Road will be accommodated within a 30 metre right-of-way with a right-in-right-out only at County Road 22. This road will be constructed in phases as "build out" or future development in the area warrants the construction of the road. Once this road is constructed the Croft Drive and Advance Boulevard access points to County Road 22 will be terminated;
- b) An Urban Commercial / Employment Collector Road will be constructed which connects Advance Boulevard and Croft Drive to provide area-wide access to the intersection of County Road 22 as shown on Schedule "D2". An Urban Commercial / Employment Collector Road (Extension of Silver Creek Industrial Road) will be constructed to connect with the proposed Urban Arterial Road which connects County Road 22 and Little

Baseline Road as shown on Schedule “D2”. The Urban Commercial / Employment Collector Roads will be accommodated within a 22 metre right-of-way.

- c) Future development will be “phased” to provide for orderly development and shall be coordinated with the road improvements (County Road 22, Patillo Road and County Road 42), construction of the internal roads and the extension of municipal services to this area. Development will be permitted only when the applicable road improvements and internal roadway connections are made that provide the roadway capacity to support additional traffic. Given that the timelines of future developable lands are not known, a Traffic Impact Study (TIS) will be required for each new development proposal to account for:
 - i) Significant changes in traffic patterns due to arterial road network improvements and the timing of such;
 - ii) Suitable access requirements to the internal road network, including on-site roadway and parking layout;
 - iii) Substantiation of the trip generation rates assumed in the Transportation Background Study; and
 - iv) Additional development and road improvements as they occur.
- d) The need for a traffic study to support a proposed development is left to the discretion of the Municipality as outlined in the Municipality’s Development Manual and will be in accordance with the Municipality of Lakeshore Corridor Management and Access Control Policy, and;
- e) The area will continue to develop on municipal water and municipal sewage in accordance with Table 7.1 Hierarchy of Sewage and Water Services and Section 7.3.1.1 Municipal Water and Sewage Services.

9.4 County Road 22 Corridor Special Planning Area

As indicated in Section 3.3.9, the County Road 22 Corridor has been established as a Special Planning Area and a Secondary Plan and Corridor Transformation Strategy has been prepared to provide more detailed land use and design guidance for the development of the Corridor. In addition to the policies of Section 3.3.9, the following provides specific land use and built form policies for directing growth and development within the County Road 22 Special Planning Area.

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

- a) Land Use
 - i) Schedule C11 designates the lands within the County Road 22 Corridor and provides specific built form guidance to direct growth and development within the Corridor.
 - ii) Development within the Corridor will be subject to the policies of the respective Land Use Designation in Section 6.0 which apply to the subject lands.
 - iii) Development within the Corridor will be further subject to the policies of Section 3.3.9 of this Plan. Servicing within the Corridor is dependent upon the particular Settlement Area and will be subject to the policies of Section 7.3.
 - iv) Development within the Corridor will 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.
 - v) The Municipality will ensure appropriate land use and built form compatibility between adjacent uses through transitions in building heights, massing, siting, landscaping and buffering measures.

- b) Built Form
 - i) Where a Continuous Street Frontage is identified on Schedule C11, a minimum of 75% of the length of the lot frontage will be occupied by building frontages within a building setback zone, which will be defined specifically in the implementing Zoning By-law, and will be setback a minimum distance as established by the County’s building setback requirements from the County Road 22 right-of-way. The implementing Zoning By-law shall establish the maximum permitted building setback zone to ensure that buildings are located close to the street and parking areas shall not be permitted in the front yard.
 - ii) Where an Intermittent Street Frontage is identified on Schedule C11, a minimum of 50% of the length of the lot frontage will be occupied by building frontages within a building setback zone, which will be defined specifically in the implementing Zoning By-law, and will be setback a minimum distance as established by the County’s building setback requirements from the County Road 22 right-of-way. The implementing Zoning By-law shall establish the maximum permitted building setback zone to ensure that buildings are located close to the street and a limited amount of parking may be permitted in the front yard.

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- iii) Medium profile building heights of 2 to 3 storeys are encouraged within the Mixed Use Designation. A minimum building height of 2 storeys is encouraged particularly within the Mixed Use Designation.
 - iv) The Municipality will accommodate interim built forms while not precluding the future intensification and redevelopment of lands within the Corridor to achieve the ultimate built form, through appropriate development phasing over the long-term.
 - v) Buildings should be oriented towards County Road 22 with primary entrances facing the street and providing access to the street.
 - vi) The Municipality 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, and in accordance with the Corridor Transformation Strategy – County Road 22 Special Planning Area Design Guidelines.
- c) Transportation, Parking and Access
- i) Schedule C11 conceptually illustrates potential access connections to alleviate traffic constraints along County Road 22. For the purposes of this section new accesses are intended to include new public rights-of-way and intersections, driveways and/or consolidated driveways that facilitate access to County Road 22. Opportunities for additional east-west roads and potential connections to County Road 22 should be further assessed through more detailed transportation studies that consider the impact on the entire corridor and through the review of Transportation Impact Studies in support of development applications.
 - ii) The County of Essex has established an access management policy for the section of County Road 22 between County Road 19 (Manning Road) and County Road 25 (Puce Road) whereby new accesses to County Road 22 beyond those conceptually identified on Schedule “D2” of this Plan, will not be permitted. New accesses, including those shown conceptually on Schedule “D2”, will require the approval of the County and the Municipality, and must demonstrate an overall benefit to the function of the County Road 22 corridor. The County Engineer will recommend to County Council that By-law 64-2012 be amended to permit a new access if the appropriate studies have been completed and it is determined (subject to peer review) that there will be an overall benefit to the function of the County Road 22 corridor.
 - iii) Subject to the approval of the County, and in consultation with the Municipality, limited direct access to County Road 22 east of County Road 25 (Puce Road) may be permitted through the application of shared/consolidated accesses, site interconnection, and the proper development of the local/internal road and driveway network.
 - iv) Parking areas should be located at the rear and/or side of buildings. The location of primary parking areas within the front yard is not permitted.
 - v) The policies of Section 9.3.1 provide further guidance with respect to the transportation and access requirements for lands in the vicinity of County Road 22, Advance Boulevard and Croft Drive.

d) Implementation

- i) Development applications and land use decisions will be consistent with the Corridor Transformation Strategy – County Road 22 Special Planning Area Design Guidelines, as well as the County of Essex policies and guidelines.
- ii) The County of Essex has jurisdiction over County Road 22 as the road authority and as such maintains control of the right-of-way including, but not limited to, lane configuration, access, setbacks and traffic management. Development is subject to County of Essex By-laws 2480, 2481 and 64-2012, as may be amended from time to time. The Municipality will pursue consultations with the County in advance of any County proposals to revise or establish new requirements which affect roads in the Municipality which are within the jurisdiction of the County.
- iii) Development applications which do not meet the intent of the policies of the Plan, including Section 9.4 b) i) and ii), and the Corridor Transformation Strategy – County Road 22 Special Planning Area Design Guidelines, will only be considered when accompanied by a Master Site Plan which illustrates how the site may be intensified and built-out over time, consistent with these policies and guidelines. Consideration should be given to the interim and future placement of buildings, driveway accesses, future road network, parking areas, site circulation and the location/sizing of infrastructure and utilities, among other matters.
- iv) Development applications within the Corridor may be supported by an Urban Design Study, at the discretion of the Municipality, as identified in Section 8.3.11 c) of the Plan, which demonstrates how the policies of Section 4.2.1 of the Plan and the Corridor Transformation Strategy – County Road 22 Special Planning Area Design Guidelines have been addressed.
- v) The lands identified as Site-Specific Policy Area 3.4.3.1 on Schedule C11 are subject to the land use compatibility and built form policies of S.3.4.3 of the Official Plan and the guidelines of the Corridor Transformation Strategy – County Road 22 Special Planning Area, in addition to the following:
 - a) the implementing zoning by-law amendment shall establish an appropriate transition area from the rear lot line of the existing residential dwellings fronting Heritage Garden Crescent and the future mixed use area. Land uses within this transition area shall be limited to residential and accessory uses only through the implementing zoning by-law amendment.

9.5 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. An amendment to the County Official Plan will not be required, provided the intent of the County Official Plan is maintained.
- 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 in support of the Secondary Plan that addresses 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, are registered for development in approved plans of subdivision. At the time of adoption of this Plan (May 26, 2008), 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

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- iii) the designation of additional lands for residential development will be contingent upon the rationalization of the Urban Areas throughout the Municipality.
 - 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.
 - j) The Municipality will encourage the preparation of a Secondary Plan to identify suitable lands for additional Employment Area development within Wallace Woods. Consideration will be given to designating additional Employment Lands adjacent to the existing Employment Area lands fronting Patillo Road, while ensuring that these lands are suitably buffered from future planned residential development, and in support of a complete and mixed use community.
 - k) The Municipality commits to work with the land owners to appropriately service the Wallace Woods Special Planning Area.

9.6 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 Municipality 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 Municipality will be satisfied that the matters identified in Section 3.3.2 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.
- h) For the lands fronting County Road 22, located on the south side of County Road 22, west of West Pike Creek Road, the Lakeshore West/Manning Road Special planning Area Secondary Plan will have consideration for the policies of Section 3.3.9 and Section 9.4, and the built form and urban design guidelines of the Corridor Transformation Strategy – County Road 22 Special Planning Area Design Guidelines to ensure the

development of a consistent streetscape and built form along this section of the County Road 22 Mixed Use Corridor.

- i) The lands on the north side of Amy Croft Drive, within the Lakeshore West/Manning Road Special Planning Area, may be considered independently from the lands on the south side of County Road 22, through the preparation of a separate Secondary Plan in accordance with the policies of this Section.

9.7 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 Flood Risk Assessment to determine if there are risks associated with the development of lands.
- d) A Transportation Study will be undertaken to investigate opportunities for a secondary access to ensure safe ingress and egress within floodprone areas.
- e) Long-term municipal servicing for Lighthouse Cove must be established prior to considering any further development, other than development of a single detached residence as infill or minor rounding out on existing lots of record, within the Urban Area, provided that site conditions are suitable for the long-term provision of such services with no negative impacts. For greater clarity, those lots for which full municipal servicing shall be required will be identified by use of the “h” – Holding Symbol in the Zoning By-law.
- f) 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.
- g) Environmental studies may be undertaken to address issues relating to water quality, shoreline management, and environmental protection.
- h) A Municipality Emergency Management and Response Plan will be prepared to address notification and evacuation requirements in the case of an emergency.
- i) The Municipality 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.

9.8 Amy Croft Secondary Plan Area

The Amy Croft Secondary Plan area includes those land bound by Manning Road to the west, Amy Croft Drive to the south, the residential neighbourhood to the east, and the CN Rail mainline to the north. The following policies will provide guidance with respect to transportation, access

and servicing requirements and landowner coordination and cost sharing in the Amy Croft Secondary Plan area:

a) Transportation, Access and Servicing

- i) The existing and planned road network is shown on Schedule “D2” Road Classification (Maidstone and Belle River Urban Areas) and the policies of Section 7.2 apply. An Urban Commercial/Employment Collector Road (Lanoue Street extension), will be constructed to connect Manning Road to the Commercial Boulevard extension, as generally shown on Schedule “D2”. Commercial Boulevard, an Urban Commercial/Employment Collector Road, will be extended to connect to the Lanoue Street extension. The roads and road improvements will be constructed in phases as “buildout” or future development in the area warrants the construction of the roads and road improvements. An Environmental Site Assessment shall be required to determine the location of the Lanoue Street extension.
- ii) Future development will be phased to provide for orderly development and shall be coordinated with road and infrastructure improvements and the extension of municipal services. Development will only be permitted when applicable road improvements and internal roadway connections are made that provide the roadway capacity and road improvements to support additional traffic, to the satisfaction of the Municipality. A Traffic Impact Study will be required for a new development proposal.
- iii) The need for a Traffic Impact Study to support a proposed development may be required at the discretion of the Municipality as outlined in the Municipality's Development Manual and will be in accordance with the Municipality of Lakeshore Corridor Management and Access Control Policy.
- iv) The Municipality will consider further review of active transportation needs, opportunities for potential and bicycle lanes and/or multi-use path, in addition to sidewalks on both sides of Amy Croft Drive.
- v) The Secondary Plan area will continue to develop on municipal water and municipal sewage services in accordance with Table 7.1 Hierarchy of Sewage and Water Services and Section 7.3.1.1 Municipal Water and Sewage Services.
- vi) A stormwater management study for the Secondary Plan area is required to determine the stormwater management requirements to serve the Secondary Plan area. The stormwater management study shall identify stormwater quality and quantity measures as necessary to control any increase in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority. Stormwater management measures shall be installed based upon the recommendations of the stormwater management study, to the satisfaction of the Municipality and the Essex Region Conservation Authority. The necessary permits or clearances from the Essex Region Conservation Authority shall be required, prior to undertaking any required site alterations and/or construction activities.
- vii) An Environmental Impact Assessment shall be required to assess the significance of any natural heritage features, prior to development or site alterations occurring within or adjacent to natural heritage features, in accordance with the policies of this plan.

b) Landowner Coordination and Cost Sharing

- i) In order to ensure appropriate and orderly development of the Amy Croft Secondary Plan area, and to ensure the costs associated with development are equitably distributed among all benefiting landowners, development within the Amy Croft Secondary Plan area shall only be permitted to proceed when the Municipality is satisfied that an appropriate cost sharing agreement or mechanism is in place. The Municipality may assume the role of facilitator to allow cost recovery to occur. Costs are to be recovered during the approval process for future developments and cost sharing is to be based on the phased development of the Amy Croft Secondary plan area.
- ii) As a condition of development approval, the Municipality shall require that appropriate arrangements have been made between the Municipality and/or benefitting landowners to require the equitable payment for the infrastructure or services which are required to serve development within the Secondary Plan area. Notwithstanding, the Municipality may continue to process development applications, but will not approve development until such time as the required cost recovery or cost sharing agreements are in place, to the satisfaction of the Municipality.
- iii) For those facilities not of community wide benefit, costs will only be allocated to those landowners who are benefited by the specified work. This may be implemented through a condition of development or a development agreement.
- iv) The Municipality shall be satisfied that the proposed developments are coordinated to ensure the appropriate provision and layout of roads, driveways and infrastructure to serve the Amy Croft Secondary Plan area, and generally in accordance with the road network established in schedule "D2".
- v) The Municipality may require a letter of clearance from the trustee of the landowners cost sharing group to confirm that the landowner is in good standing with the landowners group, as a condition of draft plan approval.
- vi) The development of individual parcels of land should generally not be permitted in the absence of participation in a cost recovery or cost sharing agreement with the Municipality and/or benefitting landowners, as required.
- vii) The cost sharing agreements may be registered on title for each participating landowner to ensure that the covenants and obligations of the cost sharing agreement survive any transfer of ownership of the specific parcel of land.