



5-YEAR  
OFFICIAL PLAN REVIEW



# ISSUES & POLICY

# DIRECTIONS REPORT



November 2016

# Table of Contents

- 1.0 Introduction ..... 1**
- 2.0 Key Issues and Preliminary Policy Directions ..... 3**
  - 2.1 Summary of Key Issues ..... 3
  - 2.2 Overview of Key Issues, Options and Policy Directions ..... 6
- 3.0 Next Steps.....43**

## List of Tables

- Table 2.1: Summary of Key Issues, Options and Policy Directions..... 7

# 1.0 Introduction

The Town of Lakeshore has initiated a 5-Year of its Official Plan, and retained WSP | MMM Group Limited to assist in the Official Plan Review. The Town of Lakeshore's new comprehensive Official Plan came into effect in November 2010, and since this time there have been several planning framework changes at the Provincial and County level that need to be addressed. The *Planning Act* requires Municipalities to ensure that their Official Plan has regard to matters of provincial interest and is consistent with the Provincial Policy Statement (PPS), 2014. The PPS was revised in 2014, and provides direction on matters of provincial interest related to land use planning and development, as a result, the Town's Official Plan needs to be examined and updated to ensure conformity with the PPS.

In addition, Section 27 of the *Planning Act* requires lower-tier municipalities to amend their Official Plans to conform to the upper-tier Official Plan. Therefore, the Town of Lakeshore is required to conform to Essex County's Official Plan that was approved on April 28, 2014. There is also further legislation that has been created or amended, which will impact policies in the Town of Lakeshore's Official Plan. Examples of these applicable Acts include the *Accessibility for Ontarians with Disabilities Act*, *Strong Communities Through Affordable Housing Act*, *Green Energy Act*, and the *Clean Water Act*.

In support of the Official Plan Review, the Town is also undertaking a number of concurrent supporting studies to inform policy development for the Official plan, these studies include:

- **Residential Intensification Strategy** (WSP | MMM) – The Residential Intensification Strategy is being undertaken to support policy development for the Official Plan, in order to assist in identifying strategies for the Town to achieve its residential intensification targets as identified in the County Official Plan and to implement provincial intensification policies for directing new residential growth to existing built-up areas within the Town's existing settlement areas.
- **Affordable Housing Strategy** (SHS Consulting) – An Affordable Housing Strategy is being undertaken to identify housing needs and develop strategies and new policies for encouraging the provision of more affordable housing within the Town, including a broader range of housing types and tenures, while supporting appropriate residential intensification. These strategies will include recommendations with respect to the accommodation of secondary dwelling suites within the Town.
- **Growth Forecast Update and Employment Land Needs** (Watson and Associates) – an update to the Town's growth forecasts is being undertaken to conform to the growth forecasts of the County of Essex Official Plan. An important component of this work is an update to the employment growth forecasts and land needs to ensure that the Town has a sufficient supply of designated and available employment lands to accommodate employment growth in the short to long-term.
- **Natural Heritage Review** – in consultation with the Conservation Authorities, ERCA will be undertaking a review and update to the natural heritage and hazard policies of the Official Plan, to ensure conformity with the new PPS and County Official Plan, including revisions and updates to the natural heritage feature mapping and support for the preparation of a natural heritage systems strategy.

- **Water and Wastewater Master Plan Update** – the Town is currently in the process of updating its Water and Wastewater Master Plan (WWWMP) to identify recommended servicing strategies for the provision and extension of municipal services to the Town's settlement areas to support future growth and development. It is anticipated that the recommendations of the WWWWMP will contribute to policy development for the new Official Plan.

The purpose of this **Issues and Policy Directions Report** is to identify key issues and Official Plan policies which require review and update based on the new planning frameworks in place and issues identified in consultation with the Town, stakeholders and the public. Pursuant to Section 26(3)(b) of the *Planning Act*, before making revisions to the Town's Official Plan, the Town is required to hold a Special Meeting of Council, open to the public, to discuss the revisions that may be required. The Statutory Public Meeting was held on November 10, 2015 to receive input from the public with respect to the issues to be addressed in the Official Plan Review, which have been considered in this Report.

The Official Plan Review is being undertaken in three Phases which include:

- **Phase 1 – Data Collection and Background Review:** a review of key issues and proposed policy directions to be considered to conform to new Provincial and County planning frameworks, which is the purpose of this Report.
- **Phase 2 – Summary Report and Draft By-law:** the preparation of a Draft Official Plan Amendment to update the Official Plan policies based on the recommended policy directions.
- **Phase 3 – Final By-law and Adoption:** preparation of a final Draft Official Plan Amendment to be considered by Council for adoption.

Over the course of the Study there will be numerous opportunities for public consultation and engagement through a series of Public Open Houses, as well as a Statutory Public Open House and Statutory Public Meeting before Council to bring forward a recommended Official Plan Amendment to update the Town's Official Plan.

## 2.0 Key Issues and Preliminary Policy Directions

This section summarizes the key issues that have been identified to be addressed through the Official Plan review, and explores potential options and preliminary policy directions for the Official Plan. The issues and policy directions are preliminary and are intended to stimulate discussion.

The primary purpose of the Official Plan review is to identify required updates to implement the Provincial Policy Statement, 2014, and implement and conform to the new County of Essex Official Plan (approved April 28, 2014), in accordance with Section 27 of the *Planning Act*.

In addition to the key issues, other amendments of a housekeeping nature have been identified, including the consolidation of Official Plan Amendments that have been approved by the County, since the approval of the Town's Official Plan.

### 2.1 Summary of Key Issues

Some of the key issues that were identified and discussed at the November 10, 2015, Statutory Public Meeting that will be addressed in the Official Plan Review are summarized as follows:

- 1) **Growth Projections** – Updates to the growth projections and policies (S. 3.2) to reflect the County's updated growth management work and the policies of the County Official Plan. The County Official Plan projects a 2031 population of 41,000 persons to the Town, whereas the approved Town of Lakeshore Official Plan projects a 2031 population of 59,095 persons.
- 2) **Employment Land Needs** – The Town has identified the need for suitably located and serviced employment lands to meet existing and future employment demands. Watson and Associates is undertaking a review and update to the employment projections and land needs, based on the County Official Plan directions. Readily serviceable and marketable employment lands need to be expanded in the Town in the short-term.
- 3) **Community Structure** - Updates to the community structure framework and policies are required to address County Official Plan conformity (S. 3.3). This relates to the differences in the identification of Primary and Secondary Settlement Areas in the County Official Plan verses Urban Area and Hamlet Area designations in the Town's Official Plan. The Town may consider refining the settlement areas classifications to more closely reflect the primary and secondary settlement areas identified in the County Official Plan with a particular emphasis on focusing growth to the fully serviced primary settlement areas of Maidstone/Belle River Urban Area, Wallace Woods and Lakeshore West.
- 4) **Special Planning Areas** - Updates to the Special Planning Area policies (S. 3.4) may be required. We understand there may be a desire to update the policies pertaining to the Wallace Woods Special Planning Area (S. 3.4.4) given the anticipated timing of development of this area and development phasing implications on other areas in the Town. Potential updates to the Lighthouse Cove Special Planning Area may be warranted to address the long term municipal servicing strategy and flooding hazards (S. 3.4.6 and 7.3).

- 5) **Residential Intensification** – A review of the Official Plan residential intensification policies is required, including identification of an intensification target, and updates to implement the new County of Essex Official Plan requirements (S. 4.3.1.2). The County Official Plan requires that 15% of all new residential development occur by way of residential intensification (i.e., development within the existing built-up areas). A Residential Intensification Study is being undertaken to identify appropriate policies for implementing and achieving the intensification targets. Furthermore, new development through infill, redevelopment and intensification should be directed to intensification areas (downtowns and the County Road 22 corridor), and policies should be developed for the protection of existing stable residential neighbourhoods.
- 6) **Affordable Housing** –Section 4.3.1 will be reviewed with respect to Affordable Housing, in light of the Affordable Housing Strategy being undertaken concurrently with the Official Plan review. The Official Plan should outline policies and strategies to encourage alternative forms of housing attainable for younger families and the aging population, and seek to achieve affordable housing targets.
- 7) **Secondary Dwelling Units** – Updates to the Official Plan are required to include policies for the accommodation of secondary dwelling units (S. 4.3.1.6) to implement the *Strong Communities through Affordable Housing Act, 2011*. This is anticipated to result in policies to permit secondary dwelling units within singles, semi-detached and townhouse dwellings, subject to certain criteria established in the Official Plan.
- 8) **Mobile Homes** – Review policies of Section 4.3.1.8 regarding mobile homes and parks to address matters related to the conversion of tent and trailer parks (campgrounds) to seasonal modular homes.
- 9) **Parkland Dedication Policies** – Review of parkland dedication policies in relation to the Town’s new Parkland dedication By-law 42-2014, and Official Plan policies pertaining to cash-in-lieu of parkland.
- 10) **Parks & Open Space** – Review Official Plan policies of Section 4.3.1 to expand on the existing parks and trails network. Further clarification is required regarding the parks hierarchy and standards as they relate to policies for the provision of smaller parks/parkettes/tot lots.
- 11) **Natural Heritage Policies** – Updates to the natural heritage policies (S. 5.2) are required to ensure consistency with the province’s Natural Heritage Reference Manual, Second Edition, the PPS, 2014, and County Official Plan, as well as updates to reflect recent natural heritage feature and system mapping, including the designation of additional provincially significant wetlands. There is a desire to review natural heritage features and functions policies (S. 5.2) in relation to the *Endangered Species Act*, and policies and procedures for review of development applications.
- 12) **Natural Hazard Policies** – Review of natural hazards policies (S. 5.4.1) particularly in relation to potential development within Lighthouse Cove (OPA-3-2014). We understand that further discussions with the LTVCA and Town are warranted to update the policy framework regarding development within flood prone areas and the long-term provision of infrastructure.

- 13) **Source Protection Plans** – Implementation of the Essex Region Source Protection Plan and the Thames–Sydenham and Region Source Protection Plan (SPP) including significant threats and designated vulnerable areas will be reviewed. As part of the review, we will develop policies and associated mapping to implement the SPPs and ensure that planning decisions are in conformity with the policies that address significant drinking water threats as per Section 39(1)(a) of the *Clean Water Act*.
- 14) **Agricultural Policies** – Review of agricultural land uses policies (S. 6.2) in relation to agricultural uses adjacent to natural heritage features, as well as consideration of the Province’s new draft “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, February 2015.”
- 15) **Minimum Agricultural Lot Sizes** – Review of minimum agricultural lot size requirements, in anticipation of the Ministry of Agriculture and Rural Affairs comments on this matter, and the ongoing County of Essex Agricultural Lot Size Study (S. 6.2.3).
- 16) **Waterfront Residential Designation** – Concerns have been expressed regarding the scale, height, and setback of new development and the redevelopment of waterfront residences and accessory buildings within the Waterfront Residential designation, and the impacts on adjacent properties. Consideration should be given to including additional land use policies to mitigate these potential impacts. Concerns regarding the scale and height of accessory buildings (i.e., 2 storeys) in other areas of the Town have also been identified.
- 17) **Green Energy Act** – Implementation and consistency with the *Green Energy Act* (S. 4.2.4.1) is required. The current Official Plan policies were prepared prior to the enactment of the *Green Energy Act*, which limited municipal planning controls on renewable energy undertakings. The policies should be revised to be consistent with provincial policy and remove policies dealing with municipal control of renewable energy undertakings.
- 18) **Sustainability and Local Energy Plan Policies** – Consider the inclusion of policies and tools to address matters related to sustainability, including the preparation of Local Energy Plans and municipal energy conservation (i.e., the Town’s Energy Conservation and Demand Management Plan, 2014 to 2019).
- 19) **Transportation Policies** – Potential updates to the transportation system policies and hierarchy and classification of roads, including potential amendments related to County Road 22 (OPA #3), the classification of Blanchard Park Road/Way, and policies for development on private roads. (S. 7.2.2.1).
- 20) **Servicing Hierarchy** – Review servicing hierarchy policies (S. 7.3.1) in relation to planned/proposed municipal servicing scheme, and provide further clarification on the servicing requirements associated with the settlements (i.e., St. Joachim). The on-going update to the Town’s Water and Wastewater Master Plan is expected to provide input into the planned servicing strategy for the Town, particularly as it relates to the unserved settlement areas and the extension of municipal services.

- 21) **Implementation and Interpretation** – The *Planning Statute Law Amendment Act*, 2014, (Bill 73) received Royal Assent on December 3, 2015 and proposes changes to the *Planning Act* and *Development Charges Act*. While for the most part, the changes have not been effected, however, revisions to the Official Plan may include: the list of matters of Provincial interest is expanded to include built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe accessible, attractive and vibrant; the required contents of an Official Plan (Section 16(1)) are expanded to include a description of the measures and procedures for informing and obtaining the views of the public in regards to Official Plans/Amendments, Zoning By-laws, Plans of Subdivisions and consents ; the review timeframe for an Official Plan is modified to ten years after a new Official Plan has come into effect and every 5 years thereafter; requirements for the preparation of a Parks Plan; municipalities may, by by-law, establish criteria to be complied with in order to approve minor variances; and changes to regulations regarding amendments to Official Plans; alternative dispute resolution in certain OMB appeals.
- 22) **Official Plan Amendment Consolidations** – Update the Official Plan to consolidate recent Official Plan amendments that have been approved since the Official Plan was approved.
- 23) **Housekeeping Amendments and Other Matters** – Implementation of any required house-keeping amendments, Official Plan Amendments to be consolidated, and other matters identified by Town staff, Council and the public.

## 2.2 Overview of Key Issues, Options and Policy Directions

Table 2.1 provides a more detailed overview of the key issues to be addressed through the Official Plan Review. The table also provides a summary of the existing policy context, as directed by the new Provincial Policy Statement, 2014, the new County of Essex Official Plan, April 2014, and the existing Town of Lakeshore Official Plan policies, as well as other applicable provincial policies, legislation, Town studies and initiatives.

The preliminary policy directions will be refined over the course of the study, based on consultation with the Town, stakeholders and the public. The policy directions will be further detailed through proposed revisions to the Town's Official Plan, for which a draft Official Plan Amendment will be prepared in Phase 2 of the Study.



**Table 2.1: Summary of Key Issues, Options and Policy Directions**

| Relevant Section                   | Key Issue   | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction   |
|------------------------------------|---|---|--|--|
| <b>1.0 Introduction</b>            |   |   |  |  |
| 1.1                                | <b>Basis for the Official Plan</b><br>Revisions to update the Basis for the Plan (i.e., PPS 2014, new County OP).   | The new Lakeshore Official Plan was the first consolidated Official Plan for the Town, following amalgamation. The Plan was prepared to be consistent with the 2005 PPS. The Plan's basis is outlined in Section 1.1. It implements the 2005 PPS and plans for growth over a 20 year period to the year 2031. The growth targets are based on various master plan studies and a Growth Study prepared in support of the new Official Plan.<br><br>Since the Plan was prepared, a new Provincial Policy Statement (2014) has been effected, and a new County Official Plan has been approved. The Official Plan must be updated to conform to the new planning frameworks in place.  | The introductory preamble (Section 1.0) and basis (Section 1.1) will need to be updated to reflect consistency with the 2014 PPS, conformity with the County Official Plan, and other similar minor changes. An updated Growth Study with respect to employment projections and land needs is being prepared as part of this Official Plan Review, and will be integrated along with the policy direction of the County Official Plan as the basis for growth projections. The Town of Lakeshore Official Plan is required to conform to the County Official Plan projections.   | These changes are of a minor, contextual nature that will reflect the basis of the Plan.   |
| 1.2                                | <b>Organization of the Official Plan</b><br>Consider potential changes to the organization of the Plan.   | The Official Plan is comprised of 8 Sections providing a framework for managing growth and change. It is supported by a series of four Schedules which relate to Community Structure, Natural Heritage Features and Hazards, Land Use Designations, and Road Classifications.   | The key organizational change being considered is organizing Secondary Plans into a separate section of the Official Plan. The basis for preparing Secondary Plans for Special Planning Areas, including key growth areas is outlined in S. 3.4. This is further discussed below under Section 3.4.  | The organizational change is intended to provide for easier implementation and inclusion of future Secondary Plans.  |
| <b>2.0 Charting New Directions</b> |   |   |  |  |
| 2.1                                | <b>Purpose of the Official Plan</b>   | Section 2.1 outlines the purpose of the OP in accordance with the requirements of the Province's <i>Planning Act</i> which outlines requirements for inclusion in an Official Plan.   | While the overall purpose of the Official Plan will not change, minor changes or elaborations may be required to reflect other policy changes as recommended below.  | These changes are of a minor, contextual nature that will reflect the purpose of the Plan.   |
| 2.2, 2.3                           | <b>Town's Vision &amp; Mission Statement, Planning Objectives &amp; Strategies</b><br>Update the Town's Vision and Mission Statement and Planning Objectives & Strategies to reflect policy and Council's Strategic Plan. | <b>Lakeshore OP</b> – The Town's Vision, and Planning Objectives & Strategies are outlined in S. 2.2 and 2.3 of the OP. The Vision and Mission Statement are brief statements describing an overall vision for the long-term planning and land use objectives for the Town.<br><br>The current vision and planning objectives were based on an extensive community consultation process in support of the preparation of the new Official Plan and the Community Strategic Plan.<br><br>The Six Planning Objectives with supporting strategies are outlined in Section 2.3, and relate to the following themes:<br><ul style="list-style-type: none"> <li>• Economy;</li> <li>• Transportation;</li> <li>• Community;</li> <li>• Administration;</li> <li>• Servicing and Facilities; and</li> <li>• Environment.</li> </ul> <b>Lakeshore Strategic Corporate Plan</b> – Council is undertaking a new Strategic Corporate Plan which may have implications on Council's mandate and may be reflected through revisions in the OP (i.e., Town's Vision, Planning Objectives & Strategies, etc.).<br><br><b>Provincial Policy Statement</b> – Changes to the PPS in 2014 have introduced new concepts | While the over-arching vision and planning objectives are not anticipated to change substantially, there is an opportunity to broaden the Vision and/or Mission Statement to integrate updated planning policies as recommended through this review. Further, the vision/mission statement should be well integrated with Council's new Strategic Corporate Plan, which is on-going.<br><br>To be consistent with the PPS and implement the County Official Plan, as well as to reflect other changes to the Town OP as recommended below, modifications to the planning objectives and strategies should be considered. | To be consistent with the PPS and conform to the County's OP, it is recommended that minor modifications be made to Section 2.3. This may include updates to strategic objectives regarding the future use and accommodation of employment uses along Highway 401 and the Maidstone Urban Area; and pending the outcome of Council's new Strategic Corporate Plan, among other matters. There may be minor changes in this section to reflect the Province's policies for being resilient to respond to climate change, promoting green infrastructure and promoting greater integration of Aboriginal interests in relation to archaeological and cultural heritage resources, for example. |

| Relevant Section                      | Key Issue   | Existing Policy Context  | Options / Discussion  | Rationale / Policy Direction   |
|---------------------------------------|---|--|---|--|
|                                       |   | <p>and policies which relate to the following themes:</p> <ul style="list-style-type: none"> <li>• Explicit consideration and planning for the impacts of climate change, such as a greater focus on creating resilient communities (e.g., Section 3.1.3);</li> <li>• Promotion of green infrastructure (newly defined in the PPS);</li> <li>• Recognition and protection of goods movement corridors (e.g., Section 1.6.8.2);</li> <li>• Better integration of the interests of Aboriginal people and communities, such as protection of cultural and archaeological interests, including preparing Archaeological Management Plans and Cultural Plans (Section 2.6.4 - 2.6.5);</li> <li>• Promoting more compact, mixed use employment areas (Section 1.3);</li> <li>• New requirements for prime agricultural areas and further diversification of agricultural areas through on-farm diversified uses and larger scale agricultural uses;</li> <li>• Preparation of a natural heritage systems strategy (S. 2.1.3); and</li> <li>• The PPS is to be implemented in a manner consistent with the Human Rights Code, Canadian Charter of Rights and Freedoms and Aboriginal and treaty rights under Section 35 of the federal <i>Constitution Act</i> (Sections 4.3, 4.6).</li> </ul> <p><b>County OP</b> – Similarly, the new County Official Plan introduces concepts that may be integrated into the Town’s objectives and strategies, to implement the objectives of the County Official Plan.</p> |   |  |
| <b>3.0 Managing Growth and Change</b> |   |  |   |  |
| 3.2, Table 3.1                        | <p><b>Residential Growth Projections</b><br/>Updates to the growth projections and policies to reflect the County’s updated growth forecasts and management policies.</p> | <p><b>Provincial Policy Statement</b> – Section 1.2.4 of the PPS outlines the County’s responsibility for housing, employment and population projections. As an upper-tier municipality, the County is responsible for establishing growth projections and allocations to the lower-tier municipalities, to which the Lakeshore OP must conform to,</p> <p><b>County OP</b> – The new County OP projects a 2031 population of 41,000 persons to the Town (Table 2), whereas the approved Town of Lakeshore Official Plan projected a 2031 population of 59,095 persons. The planning horizon to the year 2031 is consistent with the Town’s OP however; the projections have been substantially revised.</p> <p><b>Lakeshore OP</b> – The Lakeshore OP projected a population of just under 41,000 persons being achieved by 2011; however, the County OP records the Town’s population at 34,546 in 2011 according to the census. As of 2015, the Town’s population was 36,200 persons, which represents a projected increase of 4,800 persons to 2031.</p>   | <p>The Town of Lakeshore Official Plan will need to conform to the County’s projections and will need to be revised accordingly.</p> <p>The Growth Analysis Study provides an update to the residential forecasts for the Town, key findings include:</p> <ul style="list-style-type: none"> <li>• The Town’s population is forecast to increase by approximately 4,800 persons over the forecast period, growing from 36,200 in 2015 to 41,000 in 2031. This represents an annual average increase of 0.8%. Comparatively, the Province of Ontario as a whole is forecast to increase at an annual average rate of 1.6% between 2016 and 2031.</li> <li>• Lakeshore’s housing base is forecast to increase from approximately 13,190 in 2015 to 15,120 in 2031, an increase of 1,930 or 0.9% annually.</li> <li>• Average housing occupancy levels or P.P.U.s have declined in the Town of Lakeshore from 2.91 in 2001 to 2.80 in 2011. Over the forecast period, this declining trend is expected to continue, however, average P.P.U. levels are anticipated to stabilize during the post-2031 period.</li> <li>• The majority of new housing construction is anticipated to be oriented towards low-density housing forms (i.e. single and semi-detached homes),</li> </ul> | <p>The Lakeshore OP will need to be amended to conform to the County’s population projection of 41,000 persons to 2031.</p> <p>In accordance with the <i>Planning Act</i>, upper-tier municipalities are required to identify growth forecasts and allocations to the lower tier municipalities.</p> <p>It is recognized that the growth forecasts are provided for planning purposes only. As per the PPS, municipalities are required to plan to accommodate growth over a 20 year planning horizon, and are not permitted to designate land for urban uses beyond a 20 year planning horizon (to 2031 in the case of the County of Essex Official Plan). It is important to note that the forecasts are to be reviewed a minimum of every five years, and updates may be undertaken at any time to address any required changes. Furthermore, the</p> |

| Relevant Section | Key Issue  | Existing Policy Context   | Options / Discussion  | Rationale / Policy Direction  |
|------------------|--|---|---|---|
|                  |  |   | <p>comprising 85% of the new residential construction between 2015 and 2031. Over the forecast period, the share of medium-density and high-density housing forms is anticipated to gradually increase, largely driven by the aging of the baby boomers.</p>  | <p>projections are not intended to be a 'cap' or limit on development but rather provides the basis for the designation of additional urban lands and to plan for appropriate services, facilities and infrastructure to accommodate growth.</p> <p>While the projections and allocations of growth to the Town of Lakeshore have been downgraded in the County Official Plan, it is not the intent of the Town to review the residential land needs as part of this review, or make adjustments to the Town's existing settlement area boundaries. The current settlement area boundaries are reflected in the approved County OP.</p>   |
| 3.2, Table 3.1   | <p><b>Employment Growth Projections and Land Needs</b><br/>The Town has identified the need for suitably located and serviced employment lands to meet existing and future employment demands.</p> <p>Watson and Associates is undertaking a review and update to the employment projections and land needs, based on the County Official Plan directions.</p> | <p><b>Provincial Policy Statement</b> – The 2014 PPS establishes objectives for employment (Section 1.3), including providing an appropriate range and mix of employment and institutional uses over the long term, providing opportunities for a diversified economic base, encouraging compact, mixed-use development and ensuring infrastructure is available to service projected needs. Section 1.3.2 provides policies for employment areas which are to be protected and preserved to accommodate current and future needs (S. 1.3.2.1).</p> <p><b>Lakeshore OP</b> – The Town's OP has identified employment growth from 9,930 jobs in 2006 to 21,325 jobs in 2031. The County's OP does not provide employment projections for local municipalities. The projections for population are based on a Foundation Report, prepared in August 2011, which includes forecasts and land needs analysis for employment lands in Lakeshore.</p> <p>The Town's OP identifies employment areas within Comber, Highway 401/County Road 19, Maidstone and Stoney Point/Pointe-Aux-Roches. These areas are intended to accommodate a wide range of uses requiring visibility and accessibility from Highway 401 and other major corridors.</p> <p>The Town OP outlines policies for the preparation of an Employment Lands Strategy (S. 3.3.2.1), which were intended to encourage the preparation of a County-wide employment lands strategy in support of a regional serving employment area along the Highway 401 corridor. The OP recognizes a substantial shortfall in the amount of available employment lands within the Town, and additional employment lands are intended to be designated through the preparation of Secondary Plans, particularly for the Wallace Woods, Patillo/Advance, and Lakeshore West/Manning Road Special Planning Areas.</p> | <p>The new population projections in the County's OP necessitates a review of the employment projections developed for the Town's OP. This analysis will be used to calculate employment land needs and develop policies for meeting the Town's short and long-term employment demand. A need for short-term shovel ready employment lands has been identified in the Town.</p> <p>The Growth Analysis Study provides an update to the residential and employment forecasts for the Town, including an assessment of the employment land needs to the year 2031, key findings include:</p> <ul style="list-style-type: none"> <li>• The Town's employment base is forecast to increase from 10,450 in 2015 to 15,180 in 2031, an increase of 4,730 or just under 300 jobs annually.</li> <li>• Over the forecast period, the Town's employment activity rate (i.e. ratio of jobs per population) is expected to steadily increase from 29% in 2015 to 37% in 2031.</li> <li>• The Town of Lakeshore has 198 net ha (489 net acres) of vacant, potentially developable employment land. Despite the availability of vacant employment land, the Town currently has a limited number of serviced, large, vacant, industrial parcels conducive for larger-scale industrial development.</li> <li>• Over the 2015 to 2031 planning horizon, the Town</li> </ul> | <p>Updated employment projections will be incorporated into S. 3.2 of the Town OP and the policies will need to be updated, particularly S. 3.2 b) to reflect on the outcome of the County OP Review, and directions arising from the Town's Growth Analysis Study.</p> <p>While the Town's existing supply of developable vacant employment land supply is sufficient to meet long-term employment land needs to 2031 (assuming the Town's developable designated employment lands are serviced in a timely manner), there is a short-term need to provide for a minimum five-year supply of designated and serviced employment lands at all times, that includes a range of site selection choices by parcel configuration, designation, zoning and location.</p> <p>Consideration will be given to updating the policy framework to more readily designate additional employment lands. The Employment Lands Strategy (S. 3.3.2.1) policies may be</p> |

| Relevant Section | Key Issue  | Existing Policy Context  | Options / Discussion   | Rationale / Policy Direction  |
|------------------|--|--|--|---|
|                  |  |  | <p>is forecast to add a total of approximately 1,990 jobs on its designated employment lands. To accommodate this employment growth, Lakeshore is forecast to absorb 67 net ha (198 net acres) of employment lands, or 4 net ha (10 net acres) annually.</p> <ul style="list-style-type: none"> <li>Based on the Town's existing supply of developable vacant employment land, Lakeshore has a sufficient supply of employment lands to meet long-term employment land needs to 2031, assuming the Town's developable designated employment lands are serviced in a timely manner.</li> <li>To ensure that Lakeshore's employment lands supply levels are not unduly constrained, it is recommended that the Town strive to provide a minimum five-year supply of designated and serviced employment lands at all times. This should include a range of site selection choices by parcel configuration, designation, zoning and location.</li> </ul>   | <p>revisited to also contemplate a municipally-initiated Secondary Planning process to increase the amount of designated employment land within the Special Planning Areas, with a particular focus on the Urban Reserve designated lands.</p> <p>Existing designated vacant employment lands within the Patillo/Advance and Wallace Woods Special Planning Areas, and in Comber, are currently constrained by the lack of availability of municipal services. Through the WWWWMP Update, consideration should be given to developing a servicing strategy for these lands.</p> |
| 3.3              | <p><b>Community Structure</b><br/>Updates to the community structure framework and policies to address County Official Plan conformity are required, which relate to the differences in the identification and delineation of Primary and Secondary Settlement Areas in the County OP, vs. Urban Area and Hamlet Area designations in the Town's OP, as well as Waterfront Area settlements.</p> | <p><b>County OP</b> – The County's OP identifies Maidstone/Belle River Urban Area and Wallace Woods as Primary Settlement Areas (Section 3.2.4, Schedule A2) (extending generally from the western municipal boundary to Belle River and south to the rail corridor). These areas are intended to be the focus of continued growth in Lakeshore.</p> <p>The Secondary Settlement Areas designated in the County OP include a diversity of different settlements in Lakeshore, ranging from principally residential areas/waterfront corridors to mixed use communities. The Secondary Settlement Areas in Lakeshore include Comber, St. Joachim, Stoney Point, Lighthouse Cove, Ruscom, Woodslee, Staples, and the Essex Fringe Area as well as lands on the Highway 401 corridor at County Road 42 and County Road 19. It is intended that local municipalities will determine a hierarchy between the Secondary Settlement Areas (3.2.5 b). An increase in the boundary of a Secondary Settlement Area is not permitted, but a contraction may be permitted in conjunction with a Primary Settlement Boundary expansion through a Local Comprehensive Review.</p> <p><b>Lakeshore OP</b> – Schedule A of the Town's OP reflects the Plan's settlement area structure. The area identified as Primary Urban Settlement in the County's OP is coincident with the Urban Area Boundary. This area further consists of areas designated as "Urban Area," "Urban Reserve Area" and "Employment Area." The County Road 22 Mixed Use Corridor, Lakeshore West/Manning Road, Patillo/Advance, Wallace Woods and Emeryville are identified as Special Planning Areas and subject to Section 3.4. Urban Reserve Areas require the preparation of a Secondary plan to determine the configuration of appropriate land uses in these future development areas. Downtown Belle River and Wallace Woods New Primary Node are identified as Primary Nodes and subject to the policies of Section 3.3. Lighthouse Cove is also designated as a Special Planning Area and subject to Section 3.4.</p> | <p>The boundaries and hierarchy of settlement areas need to conform to the County's OP. To reflect the County's settlement hierarchy, refinements may be made to distinguish the primary settlement area of Belle River-Maidstone as identified in the County OP. To conform to the County OP, the "Secondary" and "Primary" settlements may be better identified in accordance with the County OP. This may be achieved by revising the "Area Boundary" on Schedule A as follows:</p> <ul style="list-style-type: none"> <li>Primary Settlement Urban Areas: <ul style="list-style-type: none"> <li>Belle River/Maidstone areas</li> </ul> </li> <li>Secondary Settlement Areas: <ul style="list-style-type: none"> <li>Secondary Settlement Urban Area (Comber and Stoney Point/Pointe-Aux-Roches, Lighthouse Cove)</li> <li>Hamlet Area (Rochester Place/Deerbrook, North and South Woodslee, Ruscom, Staples)</li> <li>Waterfront Area (as in the current Lakeshore OP, noting the differences in delineated parcels from the County OP)</li> <li>Urban Fringe Area (as in the current Lakeshore OP)</li> </ul> </li> </ul> <p>Alternatively, the Secondary Settlement Areas could be identified as sub-categories related to: Hamlet Areas; Waterfront Areas; and Urban Fringe Areas.</p> | <p>It is recommended that the settlement areas classifications be refined to more closely reflect the primary and secondary settlement areas identified in the County OP, while retaining the Hamlet, Waterfront Area and Urban Fringe area sub-classifications. A particular policy emphasis should be given to focusing growth to the fully serviced primary settlement areas of Maidstone/Belle River Urban Area, Wallace Woods and Lakeshore West.</p>  |

| Relevant Section | Key Issue | Existing Policy Context  | Options / Discussion   | Rationale / Policy Direction |
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|                  |           | <ul style="list-style-type: none"> <li>• Comber is delineated by an Urban Area Boundary, with its downtown identified as a Secondary Node. Lands are shown as “Urban Area” and “Employment Area.” The boundary is coincident with the County OP.</li> <li>• Stoney Point/Pointe-Aux-Roches is also delineated by an Urban Area Boundary and is designated Urban Area and Employment Area. The boundary is also coincident with the County OP.</li> <li>• The Essex and Tilbury Urban Fringe Areas are coincident with the related Secondary Settlement Area designations in the County OP.</li> <li>• Lighthouse Cove is delineated as a Secondary Settlement Area in the County OP, and its boundary is coincident with the Lighthouse Cove Urban Area in the Town’s OP.</li> <li>• North and South Woodslee, Ruscom, St. Joachim and Rochester Place/Deerbrook are delineated as hamlets in the Town’s OP and are delineated as Secondary Settlement Areas in the County OP.</li> <li>• There are several Waterfront Areas designated by the Town’s OP, and located along Lake Erie or along watercourses. While most areas are coincident with designated Secondary Settlement Areas in the County OP, there are two differences, which include: <ul style="list-style-type: none"> <li>○ Some rural residential properties on the east side of County Road 27 are designated as Waterfront Areas in the Town’s OP but not included as part of a Secondary Settlement Area in the County OP.</li> <li>○ Some lands west of Stoney Point along Lake St. Clair are not designated as Secondary Settlement Area in the County OP but are designated as Waterfront Areas in the Town’s OP (i.e., lands on Lange Ave. and Surf Club Drive).</li> </ul> </li> </ul> | <p>The policies should be revised to focus growth to the primary urban settlement area. Section 3.3.1 of the Town’s OP intends that growth will be focused into the urban areas; in conformity with the OP, priority should be placed on the primary urban settlement areas (i.e., Belle River and Maidstone Urban Areas).</p> |                              |

| Relevant Section                         | Key Issue  | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction   |
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| 3.3.5                                    | <b>Urban Fringe Area</b><br>Review designation of these areas in relation to County OP and the servicing policies (S. 7.3.1, Essex Fringe).    | <p><b>Lakeshore OP</b> – The Essex Urban Fringe Area is subject to the policies of Section 3.3.5 and 6.5 of the Town’s OP. It is intended that the rural character of Urban Fringe Areas will be maintained. Limited growth and development is accommodated through appropriate infill, subject to servicing and environmental protection/hazard policies. The preferred servicing of this area is intended to be municipal services according to Section 7.3.1, for which municipal water and sanitary services are available. Development must be fully municipally serviced where such full municipal services are available, as is the case in the Essex Fringe Area. Where full services do not exist, development may only be permitted on partial services to address failed on-site services; allow infilling and rounding out, provided site conditions are suitable for long-term provision of such services. An expansion of the Fringe Areas is only contemplated at the time of a Comprehensive Review of the OP (subject to criteria) and such an expansion is not contemplated within the planning horizon.</p> <p><b>County OP</b> – The lands are designated a Secondary Settlement Area in the County’s OP. The County’s OP does not address “fringe areas” explicitly. Under the Secondary Settlement Area policies, new development is encouraged on full municipal services unless there are interim servicing policies in effect in the local Official Plan. All types are land uses are permitted in Secondary Settlement Areas, subject to the policies of the local OP. Section 3.2.5 f) states that unnamed settlement areas do not comprise a settlement area under the PPS and are intended to be removed from the land use schedule or permit no new development.</p> <p><b>Provincial Policy Statement</b> – The PPS permits minor infilling and rounding out on private services within settlement areas (S. 1.6.6.4-5).</p> | <p><b>Option 1:</b> Status quo: Maintain the policy framework which permits infilling and rounding out of development in the Essex Urban Fringe Area on full municipal services, or partial services subject to the interim servicing provisions in S. 7.3.1.1 e).</p> <p><b>Option 2:</b> More restrictive: The policies may be revised to only permit development on full services or to clarify that only development on existing lots of record be permitted subject to appropriate servicing.</p> | <p>The County’s OP permits development without full services where interim servicing policies are in effect. However, the term ‘interim’ is not further defined. The Town’s OP permits development on full municipal services, but also provides interim servicing policies on partial services. It is recommended that Option 1 be maintained, subject to additional clarification.</p> <p>Section 3.2.5 f) of the County’s OP may also encourage more restriction on development within the fringe areas, although this area is closely associated with the Town of Essex. It is not recommended that the Urban Fringe Area be removed from the settlement area.</p> |
| 3.3.9                                    | <b>OPA #3 County Road 22 Mixed Use Corridor</b><br>Consolidation of OPA #3 policies to implement the County Road 22 Mixed Use Corridor Study.  | OPA #3 (under By-law No. 3-2012) approved as amended by the County on October 10, 2013. The OPA provides policies to implement the County Road 22 Corridor Study, contemplating a mixed-use urban form that will transition over time as the area develops.   | The OPA will be incorporated into the Town’s Official Plan through this review process. Consideration may be given to reorganizing the Secondary Plans as a new Section to the official Plan as discussed above.   | Consolidate OPA #3, no major policy revisions are anticipated to the approved OPA. Refer also to 7.2.2.1 below.  |
| Schedule C.11<br>(962 Old Tecumseh Road) | <b>OPA #5 Site Specific Amendment to Redesignate lands from Residential to Mixed Use Designation</b><br>Consolidation of OPA #5 redesignation. | OPA #5 was approved by the County on August 6, 2014 in relation to site specific redesignation.   | The OPA will be incorporated into the Town’s Official Plan through this review process.  | Consolidate OPA #5.  |

| Relevant Section | Key Issue  | Existing Policy Context  | Options / Discussion  | Rationale / Policy Direction   |
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| 3.4              | <b>Special Planning Areas</b><br>Consideration will be given to reorganizing the manner in which the Secondary Plan Areas are incorporated into the Official Plan.   | <b>Lakeshore OP</b> – The Special Planning Area policies are currently organized under Section 3.4 of the OP.  | <b>Option 1:</b> Status Quo – leave organization as provided and introduce Secondary Plan policies to S. 3.4.<br><br><b>Option 2:</b> Reorganize Section 3.4 – Special Planning Areas to include the Secondary Plans and specific policy direction on the preparation of Secondary Plans in a new Section of the Official Plan (e.g., new Section 9.0), and indicate Secondary Plan areas on a separate Schedule.   | Option 2 may be suitable for improved readability of the Plan. If the Special Planning Areas are to be organized under a separate Section each Secondary Plan would function independently, but must be read in the context of the entire OP. A new section related to Secondary Plans is recommended for ease of implementation.  |
| 3.4.1            | <b>Emeryville Special Planning Area</b><br>The Secondary Plan is currently being undertaken and modifications to the OP are anticipated in relation to the on-going Secondary Plan study.  | <b>Lakeshore OP</b> – Policies to guide the preparation of the Emeryville Special Planning area are included in Section 3.4.1 of the Official Plan. The policies relate to requirements for the Secondary Plan (Section 8.3.1 applies), a Transportation Study Update, Transportation Impact Study and considerations for connectivity and road planning. The Secondary Plan will establish cost recovery mechanisms from the benefiting landowners in relation to servicing provision and transportation improvements.  | Modifications to the OP will be considered to consolidate the Emeryville Secondary Plan once approved.  | Consider consolidating the Emeryville Secondary Plan into the OP once approved, or consolidate the approval with the OP Review.  |
| 3.4.2.1          | <b>Advance Boulevard/Croft Drive (OPA#1)</b><br>Consolidation of OPA#1 in the Official Plan which provides development policies for this area.   | OPA #1 approved by the County on September 27, 2010.   | The OPA will be incorporated into the Town's Official Plan through this review process.   | Consolidation OPA#1 into the OP.   |
| 3.4.4            | <b>Wallace Woods Special Planning Area</b><br>There is a desire to update the policies pertaining to the Wallace Woods Special Planning Area given the anticipated timing of development of this area and development phasing implications on other areas in the Town. | <b>Lakeshore OP</b> – The Wallace Woods Special Planning Area and land use is identified on Schedule C.5 of the Town's OP. The area is principally designated Urban Reserve, with some western lands subject to Employment and Service Commercial designations, and some easterly lands designated residential. The whole area is subject to the policies for the Wallace Woods Special Planning Area (Section 3.4.4 of the Official Plan). The area is subject to the policies of 8.3.1 for preparing a Secondary Plan. Further, the policies of 3.3.12 related to the Urban Reserve Area apply until such time as a Secondary Plan is prepared to determine land use and general development policies. It is intended that the Secondary Plan prepared in accordance with the policies of the OP will address a residential phasing plan in accordance with the growth projections. After an initial phase of development (i.e., about 100 hectares), additional lands will only be designated for urban land uses in accordance with Section 6.0 and criteria outlined in 3.4.4 f) and Section 3.3.12 c).<br><br><b>County OP</b> – Reduced population projections for the Town, as outlined in the new County OP, may require a review of the phasing policies outlined for Wallace Woods. The entirety of the Wallace Woods area is designated as a Primary Settlement Area in the County's OP. | <b>Option 1: Status Quo:</b> The policies may be maintained. The outcome of this option is that Lakeshore may have a very large supply of residential development land, than what would be required to accommodate the County OP's growth projections. However, no changes to the settlement area boundaries are required as they conform to the County OP.<br><br><b>Option 2: Modified Criteria and Phasing of Development in Wallace Woods:</b> The policies for phasing of development of Wallace Woods may be modified to conform to the County's growth projections for the Town and ensure that development proceeds accordingly. At this time, the timing of a Secondary Plan for Wallace Woods is unknown. The current phasing program could result in Wallace Woods accommodating a large share of growth. To restrict the phasing, the size of | The OP policies for the Wallace Woods Special Planning area should be reviewed to update the phasing policies for residential development. The Official Plan policies should continue to support the preparation of a Secondary Plan for the area to advance the development opportunities for Wallace Woods.<br><br>As discussed under S. 3.5, consideration will be given to advancing the availability of employment designated lands in Wallace Woods. |

| Relevant Section | Key Issue   | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction  |
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|                  | <p>There is a need to review the phasing and timing policies of the Town's OP (S. 3.4.4 f)). The timing for undertaking a Secondary Plan for this area is unknown and will be largely driven by landowners.</p>   | <p>With regards to Wallace Woods, the County's OP (S. 3.2.4 h))states:</p> <p><i>"The identification of Wallace Woods reflects its status as a new Primary Node, and the focus of growth, in Lakeshore's Official Plan that was approved by the Ontario Municipal Board. The inclusion of Wallace Woods as a Primary Settlement Area in this Plan is subject to the policy and modifications contained in the memorandum of oral decision of the OMB dated December 8, 2010 (Case No. PL100211), which is Sections 3.3.12 and 3.4.4 of the Town of Lakeshore Official Plan. New development is subject to a future Secondary Plan, which can be approved without amendment to this Plan, provided the intent of this Plan is maintained."</i></p>   | <p>the initial phase of development may be reduced, meaning that the criteria to permit further development under Section 3.4.4 g) comes into effect more quickly.</p> <p>It is noted that Section 3.4.4 f iii) references the County's OP review and rationalization of Urban Areas in the Town as being a criterion for enabling development beyond the initial 100 hectare phase in Wallace Woods. Since the OP review has been completed, this policy should be removed.</p> <p><b>Option 3: Employment Areas in Wallace Woods:</b> Since the undertaking of the Wallace Woods Secondary Plan and supporting studies is not proceeding in a timely manner as previously anticipated by the Town, there may be a desire to revise the Special Planning Area policies to provide opportunities to advance the development of the designated employment area lands fronting on Patillo Road or portions of the Urban Reserve Area intended for future employment development. Appropriate policies would be required to ensure that these employment lands develop in an orderly manner and are compatible with the proposed future residential land uses in Wallace Woods.</p> |   |
| 3.4.6            | <p><b>Lighthouse Cove Special Planning Area (OPA #7)</b><br/>Potential updates to the Lighthouse Cove Special Planning Area are warranted to address the long term municipal servicing strategy (Section 3.4.6 and 7.3), and policy revisions proposed through OPA #7.</p> <p>Policies for Duplessis and Quenneville Drives in Lighthouse Cove are required to address interim and future development (relate to OPA# 7 Servicing Policies S. 7.3).</p> | <p>Lighthouse Cove is designated as a Special Planning Area and subject to the policies of Section 3.4.6. Further development will be subject to long-term municipal servicing, except for development of a single detached residence on an existing lot of record. There are many undeveloped lots of record in the Lighthouse Cove settlement area boundary. It is desirable for development in this area to proceed of full services, as is the intent of the Town's OP. To date, a Secondary Plan study and long-term municipal servicing strategy for Lighthouse Cove has not been undertaken.</p> <p>OPA #7 has been proposed by the Town as a "stop-gap" measure to revise servicing policies for Lighthouse Cove. The intent of the OPA is to ensure that single detached dwellings are permitted only as infill on lots of record or as part of minor rounding out, on partial services, but to restrict development on other lots of record until full services are available. It is anticipated that this matter would be reviewed through a more thorough review of the Town's Official Plan and more thorough public process. However, a long-term municipal servicing strategy is not being undertaken through this OP review. Implementing zoning By-law 67-2014 applies a holding to lands in the easterly portion of Lighthouse Cove, west of Mariner's Drive. The conditions to remove the holding symbol include the provision of full municipal services.</p> <p>OPA #7 was approved on November 2, 2015 by the County as follows:</p> <p>"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.</p> | <p>OPA #7 will be consolidated in the OP.</p> <p>Refinements to the Secondary Plan policies for the preparation of a Secondary Plan may be considered to address long term servicing solutions for Lighthouse Cove. Consideration may be given to accommodate some interim uses (i.e., camping, sheds, etc.), until such time as a servicing strategy is in place.</p> <p>The Town's Zoning By-law (S. 6.59) permits the use of tents for human habitation only on a temporary basis within a campground, where permitted by the By-law. The Zoning By-law does not permit accessory buildings (such as a shed), unless it is located in association with a main building on the same lot (S. 6.5).</p>  | <p>It is recommended that the Town proceed with undertaking a Secondary Plan, and supporting studies for Lighthouse Cove to address servicing and access requirements in relation to new development.</p> |



| Relevant Section                        | Key Issue   | Existing Policy Context  | Options / Discussion   | Rationale / Policy Direction  |
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|   |   | <p>For greater clarity, those lots for which full municipal servicing shall be required will be identified by the use of the “h” – Holding Symbol in the Zoning By-law.”</p> <p>It has been the Provinces recommendation to modify the policy to read:<br/>“Long-term full municipal servicing of Lighthouse Cove must be established prior to considering any further development within the Urban Area. For greater clarity, those lots for which full municipal servicing shall be required will be identified by use the “h” – Holding Symbol in the Zoning By-law.”</p> <p>The Province continues to express concern with allowing any development on private services, in the absence of a long-term full municipal servicing strategy.</p> <p>Duplessis and Quenneville Drives are mostly undeveloped streets in Lighthouse Cove with existing lots of record. Development on these streets would not constitute minor rounding out or infilling.</p> |  |   |
| 3.4.6                                   | Need to review LTVCA concerns with respect to a single access road to Lighthouse Cove and flooding constraints. | <p>The LTVCA has expressed concerns that Lighthouse Cove is only accessed by one road, and in consideration of flooding potential, this may create challenges with respect to emergency response.</p> <p><b>Lakeshore OP</b> – This concern was identified through the preparation of the OP and policies were put in place to address the issue through the preparation of a Secondary Plan for Lighthouse Cove. The Town’s OP policies (S. 3.4.6 c)) support the preparation of a Secondary Plan for Lighthouse Cove, which includes undertaking a Transportation Study to investigate opportunities for accommodating a secondary access for Lighthouse Cove.</p>   | <b>Option 1:</b> Status Quo: Maintain current policies supporting the preparation of a Secondary Plan for Lighthouse Cove, which includes undertaking a Transportation Study, and work with LTVCA to explore the possibility of conducting an EA to identify potential alternative secondary accesses.   | <p>In the absence of undertaking a Secondary Plan and Transportation Study, this matter will not be resolved through the current OP Review, and the current policies remain valid, but may be subject to modification to provide greater clarity.</p> <p>A Transportation Study should be undertaken in accordance with the Municipal Class EA requirements to identify potential secondary access solutions.</p> |
| 3.4.6                                   | Review request for removal of lands from the Lighthouse Cove settlement area boundary.                          | <p>A request has been made to remove the Admiral Cove Lands from the settlement area boundary in Lighthouse Cove. The Admiral Cove Lands are located in the easterly portion of Lighthouse Cove, west/north of Mariner’s Drive and east of the canal. With modifications required to ensure conformity with the County’s OP (i.e., focusing growth to the primary settlement area of Belle River-Maidstone rather than Lighthouse Cove and recognizing the reduced population projections), the removal of lands from the settlement area of Lighthouse Cove can in principle be supported.</p> <p><b>County OP</b> – The County’s OP encourages the reduction of Secondary Settlement Area boundaries in conjunction with a corresponding expansion of a Primary Settlement Area boundary. Such a change would need to take place through a Local Comprehensive Review under Section 3.2.3.1 of the County’s OP.</p>  | <p><b>Option 1:</b> Leave the lands in the boundary: Under this option, development would not be permitted until full services are available in accordance with Section 3.4.4 and OPA 7.</p> <p><b>Option 2:</b> Remove the lands from the boundary: In light of the County’s revised growth projections it is anticipated that there would be insufficient justification through a LCR to support a corresponding urban settlement area expansion to a Primary Settlement Area.</p> | Further discussions with the landowner are recommended to review the implications of removing the subject lands from the settlement area boundary.  |
| <b>4.0 Building Healthy Communities</b> |   |  |  |   |
| 4.2.2                                   | <b>Community Improvement</b><br>Update OP policies  | <b>Lakeshore OP</b> – Section 4.2.2 outlines policies for identifying Community Improvement Project Areas and preparing Community Improvement Plans under Section 28 of the <i>Planning Act</i> . Additionally, Section 3.3.6.1 prioritizes the revitalization of Downtown Belle   | <p><b>Option 1:</b> Status Quo.</p> <p><b>Option 2:</b> Additional information may be added to</p>   | Option 3 is preferred. Option 2 may not be desirable as the CIPAs may be adjusted over time. However, if the  |

| Relevant Section | Key Issue  | Existing Policy Context   | Options / Discussion  | Rationale / Policy Direction  |
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|                  | to address the Belle River CIP and supporting Façade Improvement Guidelines.   | <p>River. A Community Improvement Plan is also considered a priority for Lighthouse Cove under Section 3.4.6 g).</p> <p><b>Belle River Community Improvement Plan</b> – Since implementing the policies, the Town has completed a new Community Improvement Plan for Belle River along with supporting Façade Improvement Guidelines.</p> <p><b>County OP</b> – The County’s OP encourages CIPs to be prepared in Primary Settlement Areas (3.2.4.1 f) in relation to maintaining and/or enhancing the existing character of these areas.</p>   | <p>recognize the Belle River CIP and address the relationship of subsequent Community Improvement Plans. May incorporate an Appendix to identify current Community Improvement Project Areas for reference. However, such an appendix would be subject to change where Community Improvement Project Areas need to be modified or when CIPs expire.</p> <p><b>Option 3:</b> The Façade Improvement Guidelines are an important component of the Belle River CIP, functioning as a tool to ensure that private property improvements are desirable. Additional policies may be considered to ensure that future CIPs are supported by design guidelines.</p> | <p>CIPA is shown on an Appendix, the map would not be an operative part of the Plan, so it would not require an amendment for subsequent changes.</p> <p>It may be desirable to include a policy in the Official Plan that recognizes the importance of establishing design guidance to support evaluation of applications under a Community Improvement Plan.</p>  |
| 4.2.3.4          | <p><b>Archaeological Resources</b><br/>Incorporate new policies to provide further direction on screening tools and processes to review/identify archaeological resources.</p> | <p><b>Lakeshore OP</b> – Section 4.2.3.4 outlines the Town’s policies with respect to determining archaeological potential and lands proposed on archaeological potential sites. The Province establishes criteria for determining areas of archaeological potential.</p> <p><b>County OP</b> – Section 2.7 of the County’s OP outlines policies for cultural heritage and archaeological resources. Local Official Plans are to include policies to implement the “<i>identification, recognition and conservation of built heritage resources and cultural heritage landscapes of cultural heritage value or interest.</i>” Marked and unmarked family burial plots, where known, are to be identified in local OPs. First Nations are to be notified with regard to burial sites and other resources related to their history.</p> <p><b>Provincial Policy Statement</b> – The 2014 PPS further promotes consideration of interests of Aboriginal communities in conserving archaeological resources, as well as considering and promoting archaeological management plans and cultural plans (Section 2.6.4 and 2.6.5).</p> | <p><b>Option 1:</b> Status Quo.</p> <p><b>Option 2:</b> Incorporate the Province’s screening criteria in more detail in the policies.</p> <p><b>Option 2 a):</b> Incorporate a new schedule/map illustrating areas of archaeological potential, based on the Province’s criteria (e.g., proximity to water, known archaeological sites, topography, etc.).</p> <p>At a minimum the County’s requirement that family burial plots are to be identified. Further, a new policy should be included to consult with First Nations communities where related archaeological sites are found.</p>   | <p>As the Province’s screening criteria may be subject to change, it is not desirable to implement the screening criteria directly into policy.</p> <p>Consideration can be made to plan for the development of an Archaeological Management Plan and/or Cultural Plan, as contemplated by the 2014 PPS. This would assist in identifying resources and outlining implementation tools and options to manage archaeological and cultural heritage resources.</p> <p>The policies should be expanded to integrate First Nations interests and family burial plot identification in conformity with the County OP and to be consistent with the 2014 PPS.</p> |

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| 4.2.4.1, 4.2.4.2 | <p><b>Renewable Energy Systems</b><br/>Implementation and consistency with the <i>Green Energy Act</i>.</p>   | <p><b>Lakeshore OP</b> – Section 4.2.4.1 of the Town’s OP outlines policies regarding renewable energy systems and Section 4.2.4.2 outlines policies specifically for wind energy conversion systems. The policies subject Large Scale Generating systems to site plan control, site-specific zoning and potentially an Official Plan Amendment for non-wind systems.</p> <p><b>County OP</b> – The County OP does not make reference to renewable or green energy systems. It does encourage local municipalities to adopt Smog Action Plans as the County has done (Section 2.13).</p> <p><b>Green Energy Act</b> – The Province’s <i>Green Energy Act</i> was passed to encourage expansion of renewable energy generation and associated job creation. The <i>Green Energy Act</i> amended the <i>Planning Act</i> to exempt renewable energy undertakings from municipal planning approvals, including an Official Plan. Such uses are subject to approvals from the Ministry of the Environment and Climate Change.</p>  | <p>The current OP policies were prepared prior to the enactment of the <i>Green Energy Act</i>, which limited municipal planning controls on renewable energy undertakings. The policies should be revised to be consistent with the Ministry of Environment and Climate Change and remove policies dealing with municipal control, under the <i>Planning Act</i>, of renewable energy undertakings to be consistent with provincial policy.</p>   | <p>Accordingly, Sections 4.2.4.1 and 4.2.4.2 should be modified to exempt renewable energy undertakings from the requirements of the Town (except building permits) where they are subject to Provincial approval.</p>  |
| 4.2.4            | <p><b>Energy Conservation &amp; Generation, Climate Change</b><br/>Consider the inclusion of policies and tools to address matters related to sustainability, including the preparation of Local Energy Plans and municipal energy conservation.</p> <p>Incorporate policies to address the objectives of the Town’s Energy Conservation and Demand Management Plan, 2014 to 2019.</p> <p>Address the 2014 PPS with respect to climate change and creating resilient communities.</p> | <p>The Town’s Energy Conservation and Demand Management Plan incorporates relevant objectives and concepts to promote energy conservation throughout the Town.</p> <p><b>Lakeshore OP</b> – Broadly, the Town’s OP encourages efficient, sustainable and compact development forms as well as active modes of transportation as a fundamental principle. Section 4.2.4 address energy conservation and generation, promoting the use of energy conservation techniques.</p> <p><b>County OP</b> – The County depends on strong, sustainable and resilient communities as a component of long-term economic prosperity and social well-being (Section 1.5). Section 2.12 of the Plan supports energy efficiency, improved air quality and green infrastructure through a variety of considerations during planning and development review. This includes, for example: promoting active transportation; maintaining and improving vegetation; having compact development forms, mixed uses and efficient design/orientation; incorporating green infrastructure such as low impact development). The County encourages local municipalities to adopt a Smog Action Plan.</p> <p><b>Provincial Policy Statement</b> – The 2014 PPS includes new policies and intentions with respect to creating resilient communities and managing climate change. Infrastructure is to consider impacts from climate change (Section 1.6.1). Planning authorities are to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through appropriate land use and development patterns (e.g., by promoting compact forms; active transportation; mix of uses; energy efficient design; maximizing vegetation).</p> | <p>Various options and policies can be considered to contribute to energy conservation and creating resilient communities that consider the impacts of climate change:</p> <ol style="list-style-type: none"> <li>1. The Plan’s goals and objectives may be expanded to integrate the broad goals from the Energy Conservation and Demand Management Plan (Section 2.0).</li> <li>2. Similarly, policies for integrating energy efficiency standards through capital projects and improving energy efficiency in municipal facilities may be considered, to help integrate the Energy Conservation and Demand Management Plan. Currently, the Town’s OP does not contain energy efficiency policies with respect to its facilities.</li> <li>3. Community Improvement Plans may be used as a tool to encourage energy efficient development.</li> <li>4. Infrastructure and land development policies should consider energy efficiency and impacts from climate change. An overall goal of creating resilient communities should be established.</li> <li>5. The development of a Smog Action Plan for the Town may be considered as encouraged by the County.</li> </ol> | <p>It is recommended that the various policies be considered for incorporation through a new Section in the OP specific to Climate Change Adaption. This may also include changes to the Plan’s goals and objectives; policies for energy efficiency in the Town’s own facilities; the use of Community Improvement Plans to promote energy efficient development; and the goal of creating resilient communities and policies for considering impacts of climate change. The Town may endeavor to develop its own Smog Action Plan to complement these policies.</p> |

| Relevant Section                        | Key Issue   | Existing Policy Context   | Options / Discussion  | Rationale / Policy Direction   |
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| 4.2.5, 4.2.6, 6.2.1 a) i), 6.11.1 a) i) | <p><b>OPA #6</b><br/> <b>4.2.5 Marihuana for Medical Purpose Production</b><br/> <b>4.2.6 Industrial Hemp Production (Subject to OMB Appeal)</b></p> <p>Depending on the timing of the OMB resolution of appeals related to OPA #6, it may be consolidated in the Official Plan.</p>  | <p>OPA #6 (subject to OMB appeal) establishes new policies and criteria for considering marihuana for medical purposes production facilities in the Employment Designation and industrial hemp production facilities in the Agriculture designations, on a site specific basis (through a rezoning). The policies establish where the use is permitted and considerations for reviewing a site specific zoning amendment.</p>                 | <p>Depending on the timing of the OMB resolution of appeals related to OPA #6, it may be consolidated in the Official Plan.</p>   | <p>Consolidate OPA #6, once approved by the OMB.</p>   |
| 4.3.1.2                                 | <p><b>Residential Intensification</b><br/> A Residential intensification study will be undertaken to identify intensification targets, and updates to implement the new County of Essex Official Plan requirements. Residential Intensification Guidelines will be prepared to direct appropriate intensification, compatible with adjacent uses.</p> | <p><b>County OP</b> – The County OP requires that 15% of all new residential development occur by way of residential intensification (Section 3.2.7). It is the responsibility of municipalities to monitor and report to the County on whether the target is being met.</p> <p><b>Lakeshore OP</b> – While the current Lakeshore OP permits and encourages intensification and infill, it does not currently establish a minimum target.</p> | <p>To conform to the County’s OP, the Town’s OP will need a framework for achieving the 15% residential intensification target.</p> <p>The Town is concurrently undertaking a Residential Intensification Strategy and supporting Residential Intensification Guidelines to identify a strategy for encouraging intensification within existing built-up areas of the Town, in a manner that is appropriate to the community.</p> | <p>Policy recommendations will be identified through the Residential Intensification Strategy being undertaken concurrently with the OP Review. The Strategy has identified that suitable opportunities for infill and redevelopment exist within the Town’s identified intensification areas within existing built-up areas in order to meet the Town’s intensification targets.</p> <p>OP criteria are recommended for considering infill and development of vacant/underutilized lots. Furthermore, policies for the protection of “stable residential neighbourhoods” should be included to ensure compatible development within and adjacent to these areas.</p> <p>Secondary dwelling units and temporary garden suites will also contribute to residential intensification and are discussed in 4.3.1.6.</p> <p>Residential intensification policies will be further augmented through the Residential Intensification Guidelines being prepared as a component to the Study.</p> |

| Relevant Section | Key Issue   | Existing Policy Context  | Options / Discussion   | Rationale / Policy Direction  |
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| 4.3.1.3          | <p><b>Attainable Housing</b><br/>Review policies with respect to Affordable Housing, in light of the Affordable Housing Strategy being undertaken for the Town. Review policies to encourage alternative forms of affordable housing including townhomes and medium density housing (apartments).</p> | <p><b>County OP</b> – The County’s Official Plan defines affordable housing (consistent with the PPS) as “<i>in the case of ownership housing, the least expensive of:</i></p> <ul style="list-style-type: none"> <li>• <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</i></li> <li>• <i>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.”</i></li> </ul> <p><i>In the case of rental housing, affordable housing is “the least expensive of:</i></p> <ul style="list-style-type: none"> <li>• <i>a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or</i></li> <li>• <i>a unit for which the rent is at or below the average market rent of a unit in the regional market area.”</i></li> </ul> <p>The County’s intent is to direct and promote affordable housing in the Primary Settlement Areas (Section 1.5 c) and to a lesser extent within fully serviced Secondary Settlement Areas. Primary Settlement Areas are to have a healthy mixture of housing types including housing options and alternative housing forms for special needs groups and be designed to be walkable with public transit options (Section 3.2.4.1 b). The County supports affordable housing for low and moderate income households (3.2.6 d). Local Official Plans are to permit all forms of housing required to meet social, health and well-being requirements of current and future residents (3.2.6 e iii).</p> <p>Section 3.2.8 provides specific policies for affordable housing. A minimum of 20% of new development is to be affordable housing. Local municipalities can waive municipal fees to encourage affordable housing. The County encourages local municipalities to prepare a housing strategy to outline opportunities to increase affordable housing supply. The demolition or conversion of affordable rental housing is discouraged (also noted under Section 4.6.2). Affordable housing reports may be required as part of development and infrastructure approval processes (Section 4.15).</p> <p><b>Lakeshore OP</b> – Section 4.3.1.3 addresses affordable housing. Provision of affordable and accessible housing to low and moderate income households is a priority. The Town is to work with the County to identify affordable housing targets, and to amend the Plan accordingly. Affordable housing is to be encouraged through:</p> <ul style="list-style-type: none"> <li>• Supporting increased densities and range of housing</li> <li>• Timely provision of infrastructure</li> <li>• Supporting reduction of housing costs by streamlining development processes</li> <li>• Negotiating agreements to address the provision of affordable housing through subdivision and condominium approvals;</li> <li>• Considering alternative residential development standards for a more compact development form; and</li> <li>• Possibly developing a municipal housing strategy with annual housing targets, types and data.</li> </ul> <p>Section 4.3.1.3 states that the Town may develop a Municipal Housing Facilities By-law to develop affordable housing as a ‘community facility’ under the <i>Municipal Act</i>. This may include capital facility agreements with organizations, grants and loans or entering into</p> | <p>There are several matters of conformity between the Town’s OP and the County’s OP that should be considered:</p> <ul style="list-style-type: none"> <li>• Integrating the County’s target of 20% for affordable housing and policies to support achieving the target;</li> <li>• Addressing permissions for second dwellings in single-detached, semi-detached, townhouse dwellings and accessory buildings subject to satisfying certain criteria (as further discussed in S. 4.3.1.6);</li> <li>• Integrating the County’s definition of affordable housing to provide clarity about what development would constitute affordable housing and contribute to achieving the target;</li> <li>• More clearly prioritizing affordable housing in the Primary Settlement Area and in Fully Serviced Secondary Settlement Areas;</li> <li>• Including an Affordable Housing Report as a potential supporting study required in support of a development application; and</li> <li>• More strongly discouraging the demolition or conversion of affordable housing units and including criteria for evaluating whether a conversion is appropriate.</li> </ul> | <p>It is recommended that the OP be updated to provide greater policy direction for ensuring the development of affordable housing in the Town in accordance with Provincial and County planning policy.</p> <p>In the context of Lakeshore, affordable rental housing would be housing that is affordable to those with incomes within the first income decile (earning about \$26,800 in 2015), and paying an average of \$630/month.</p> <p>Affordable ownership housing would be housing that is affordable to those with incomes within the first to third income deciles (earning about \$57,000 or less in 2015). Assuming that the first income decile will be in rental housing, this would equate to house prices from \$111,400 to \$236,385 (2nd and 3rd income deciles). These calculations assume that the household has no more than a 10% down payment.</p> <p>Residential intensification provides an important opportunity to realize the Town’s affordable housing objectives through the development or more intensive and compact development forms and a variety of housing tenures. Provisions for the accommodation of secondary suites within existing single-detached, semi-detached, townhouse dwellings and accessory buildings will be developed subject to satisfying certain criteria related to the adequate provision of servicing, parking, built form matters to ensure such uses are in keeping with the character of established neighbourhoods.</p> <p>Further opportunities and strategies for the provision of affordable housing will be recommended through the Affordable Housing Strategy being</p> |

| Relevant Section | Key Issue  | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction   |
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|                  |  | <p>partnerships to provide new affordable housing.</p> <p>The Town discourages conversion of affordable rental housing stock if it results in a reduction in the amount of rental housing to an unacceptable level.</p> <p>Surplus municipal land is to be considered for affordable housing. Affordable housing opportunities are encouraged in the Primary nodes. Opportunities to permit additional units in existing dwellings are to be considered. Affordable housing in a variety of built forms is to be encouraged.</p> <p>The Town's Official Plan also encourages affordable housing as a component of Community Improvement Plans (4.2.2 c vi)).</p>  |  | <p>undertaken in support of the Official Plan Review. Where appropriate, these recommendations may be carried forward in the OP.</p>   |
| 4.3.1.4          | <p><b>Special Needs Housing</b><br/>Recent decisions from the Ontario Human Rights Commission requires policy updates related to Special Needs Housing and Group Homes. Consideration should be given to revising policies which identify specific groups/users as well as locational criteria, which may be in conflict with Human Rights Commission decisions.</p> | <p><b>County OP</b> – The County's OP defines special needs as <i>“any housing, including dedicated facilities, in whole or in part, that is 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.”</i></p> <p>As for affordable housing, special needs housing is intended to be concentrated in the Primary Settlement Areas. Primary Settlement Areas are to have a healthy mixture of housing types including housing options and alternative housing forms for special needs groups and be designed to be walkable with public transit options (Section 3.2.4.1 b). Local Official Plans are to permit all forms of housing required to meet social, health and well-being requirements of current and future residents (3.2.6 e iii).</p> <p><b>Lakeshore OP</b> – The Town's Official Plan discusses Special Needs Housing in Section 4.3.1.4. Special needs housing is intended to be housing for physically and developmentally challenged, disabled, mentally ill, seniors, persons requiring emergency shelter, group homes, assisted housing as well as households with low to moderate incomes. It is the overall intent to improve access of special needs housing to these individuals and the policies support special needs housing, housing for seniors, long-term care facilities and barrier-free environments.</p> <p>The OP has policies to prevent concentration of group homes and intends for the Zoning By-law to set separation distances, which is in contravention of recent Human Rights Commission decisions. Group homes are to be compatible with the adjacent residential uses, and group homes with a correctional purpose are to be treated as an institutional use and not a residential use.</p> | <p>To address conformity and consistency with the Human Rights Code, some modifications to the Town's OP are recommended:</p> <ul style="list-style-type: none"> <li>• The definition of special needs housing should align with the County's OP. The County OP defines special needs housing as housing for persons beyond special needs, while the Lakeshore OP includes affordable housing as a potential type of special needs housing.</li> <li>• Certain housing forms such as group homes should not be subject to policies that prevent them from being located in proximity to each other (i.e., minimum separation distances), as it may impede housing options and affordability for certain groups, and discriminates based on the potential special needs.</li> <li>• All forms of housing should be considered residential uses, and permitted in the appropriate areas of the Town to meet the needs of residents.</li> <li>• Special needs housing for seniors has been identified as a housing gap in the Town. Policies should promote a variety of dwelling types and tenures which support aging in place within the community.</li> </ul> | <p>It is recommended that the OP be updated to provide greater policy direction for the provision of special needs housing particularly as it relates to range of housing types and tenures to support seniors accommodations.</p> <p>Minimum separation distances for group homes and restrictive policies should be removed.</p> <p>Further opportunities and strategies for the provision of special needs housing will be considered through the Affordable Housing Strategy being undertaken in support of the Official Plan Review. Where appropriate, these recommendations may be carried forward in the OP.</p> |

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| 4.3.1.6          | <p><b>Secondary Dwelling Units</b><br/>Updates to policies with respect to Secondary Dwelling Unit permissions and policies to implement the <i>Strong Communities through Affordable Housing Act, 2011</i>, which may consider policies for the permission of secondary dwelling units within singles, semi-detached and townhouse dwellings, and accessory buildings, subject to certain criteria.</p> | <p><b>Strong Communities Through Affordable Housing Act</b> – The <i>Strong Communities through Affordable Housing Act, 2011</i> amended the <i>Planning Act</i> to identify affordable housing as a matter of Provincial interest and to introduce provisions for second suites and garden suites. Municipalities are required to establish Official Plan and zoning provisions to permit second units in detached, semi-detached and townhouses, and in accessory structures. Such provisions cannot be appealed to the Ontario Municipal Board except where they are included in a five-year update. Although required to permit second suites in these units, the Ministry generally recognizes that some areas may not be suitable, such as flood-prone areas and areas with inadequate servicing. It is intended that the units be permitted in existing communities and newly developing areas. Garden suite provisions now allow them to be permitted by a temporary use by-law for up to 20 years, up from 10 years.</p> <p><b>County OP</b> – A second dwelling unit is defined by the County’s OP as “[also known as an accessory or basement apartment, secondary suite and an in-law flat], 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.”</p> <p>Second dwelling units may be considered a form of affordable housing where it meets the definition of affordable housing in the County’s OP. Accordingly, they are encouraged by the County as a source of affordable housing and to meet affordable housing targets. Second suites is also considered to be a form of residential intensification under the definition of that term, and may contribute to achieving intensification targets as previously discussed.</p> <p>Second dwelling units are generally permitted within single, semi and townhouse dwellings. Local Official Plans and implementing Zoning By-laws are to contain detailed policies for second dwelling units, addressing areas where they are not appropriate (such as flood prone areas and inadequately serviced areas), minimum unit size, access and parking, phasing of second dwellings as part of new development, health and safety requirements as well as garden suites (3.2.8 e and f).</p> <p><b>Lakeshore OP</b> – The Town’s OP refers to second dwelling units or secondary suites as accessory residential dwellings. The policies of Section 4.3.1.5 apply to “accessory dwellings”, garden suites and mobile homes, which constitute special housing forms. According to the policies, all special housing forms may be subject to site plan control. The policies of Section 4.3.1.6 apply to accessory residential dwellings. A maximum of one is permitted per lot, through a site-specific zoning by-law amendment and site plan control. Appropriate servicing must be provided, and criteria to ensure exterior changes are minimal and the size of the unit does not exceed one third of the habitable space.</p> | <p>Second suites will need to be considered and permitted where appropriate in the Town. They may be excluded from flood prone areas and where servicing is not available.</p> <p>Broader permissions should be considered for secondary suites across the Town. They should not be permitted only by way of a ZBLA and subject to site plan control, but detailed OP policies and zoning standards should be developed to manage potential impacts.</p> <p>The OP may provide more direction about the issues to be addressed in the Zoning By-law, such as minimum or maximum size of the second suite, setbacks from the main dwelling where located in an accessory structures, types of accessory structures; provision of parking; and provisions regarding exterior changes to help maintain the character of the community.</p> | <p>Official Plan policies which permit second suites in single, semi-detached and street townhouse dwellings are recommended. Further consideration should be given to accommodating second suites in accessory buildings in relation to a single or semi-detached dwelling are recommended to implement provincial policy.</p> <p>The Official Plan policies should address the following:</p> <p>The Town will facilitate the provision of affordable housing by providing for second dwelling units on properties with single detached, semi-detached, and street townhouse dwellings in accordance with the provisions contained in the Town'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.</p> <p>The zoning by-law may establish regulations for second dwelling units including matters such as:</p> <ul style="list-style-type: none"> <li>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;</li> <li>ii) compliance with the natural hazard and natural heritage policies;</li> <li>iii) parking requirements for both residential units and maximum size and number of driveways;</li> <li>iv) requirements regarding the exterior appearance of the primary dwelling and/or second dwelling unit;</li> <li>v) yard, lot size, setback, and/or</li> </ul> |

| Relevant Section | Key Issue  | Existing Policy Context  | Options / Discussion   | Rationale / Policy Direction   |
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|                  |  |  |  | <p>landscaping requirements;</p> <p>vi) minimum and maximum size and number of bedrooms;</p> <p>vii) servicing requirements;</p> <p>viii) entrance and access to the second dwelling unit; and</p> <p>ix) minimum outdoor amenity areas;</p> <p>x) maximum density and distribution of second dwelling units.</p> <p>The Town may also consider a registration or licensing program to regulate second dwelling units.</p> <p>The Residential Intensification Guidelines will provide further design guidelines on minimizing potential impacts associated with secondary dwellings, particularly in accessory structures.</p> |
| 4.3.1.7          | <p><b>Garden Suites</b></p> <p>Review OP policies to determine whether garden suites are appropriate in the Agricultural Area and the permitted duration of the temporary use.</p> | <p><b>Planning Act</b> – Section 39.1 of the <i>Planning Act</i> allows municipalities to pass by-laws to permit garden suites, subject to conditions, such as setting time limitations. They may be permitted for up to 20 years under the <i>Planning Act</i>, which was amended by the <i>Strong Communities Through Affordable Housing Act</i>. The <i>Planning Act</i> defines a garden suite as “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.” Under the <i>Planning Act</i>, the Town may enter into agreements with the lot owner to ensure the garden suite is used, maintained and removed according to the Town’s conditions.</p> <p><b>County OP</b> – The County’s OP notes that the preferred method for accessory farm accommodation is in temporary structures such as garden suites (3.3.3.5). Garden suites are also considered a type of second dwelling unit (3.2.8) so they must be associated with another dwelling on the lot.</p> <p><b>Lakeshore OP</b> – The Town’s OP addresses garden suites under Section 4.3.1.7, permitting them generally only in the agricultural areas of the Town, and subject to criteria. The definition of a garden suite is incorporated within the prefacing statement under Section 4.3.1.7, and it is consistent with the <i>Planning Act</i>. It is intended that they be used to accommodate a person who is most likely disabled, elderly or retiring. Under Section 4.3.1.5, garden suites may be subject to site plan control and they must be compatible with the surrounding neighbourhood.</p> | <p><b>Option 1:</b> Status Quo: Garden suites are principally permitted only in agricultural areas and subject to criteria, including requiring that they be located on a lot where there is another dwelling.</p> <p><b>Option 2:</b> Provide more detailed restrictions and policies regarding the duration of the garden suite. Currently, the garden suite is intended to be temporary under the Town’s OP, but they may be permitted for up to 20 years under the <i>Planning Act</i>.</p> <p><b>Option 3:</b> Broaden Permissions for Garden Suites in the Urban Areas subject to appropriate criteria and/or broaden the intended use of Garden Suites for farm worker accommodation.</p> | <p>It is recommended that the Town consider policies to broaden the permissions for garden suites within the Urban Areas subject to appropriate criteria (Option 3). Criteria for the accommodation of garden suites may be similar to that identified for the permission of second suites.</p>  |



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| 4.3.1.8          | <p><b>Mobile Homes</b><br/>Review policies regarding tent and trailer parks to address matters related to the conversion of campgrounds to seasonal modular homes (i.e., Rochester Mobile Home Park).</p>   | <p><b>Lakeshore OP</b> – Section 4.3.1.8 permits mobile homes as a source of temporary farm worker accommodation provided a consent does not take place. Mobile homes are discouraged in established neighbourhoods, nodes and the County Road 22 Corridor. New or expanded mobile home parks may only be permitted in the agricultural area in accordance with the Urban Area expansion policies. The OP does not provide policy guidance for the conversion of campgrounds to seasonal modular homes.</p>   | <p>Policy guidance should be provided with respect to the conversion of tent and trailer parks (campgrounds) to seasonal modular homes. A ZBLA should be required by the OP to assess the implications to permit such a conversion in order to ensure that the conversion is appropriate and that there is adequate infrastructure and servicing to accommodate the proposed use, and does not compromise the Town’s availability of affordable housing.</p> | <p>It is recommended that the OP establish policies to only consider the conversion of tent and trailer parks (campgrounds) to accommodate seasonal modular homes through a site-specific zoning by-law amendment and subject to satisfying certain criteria to ensure the use is appropriate. Such matters should relate to: the provision of appropriate sanitary and water services; appropriate access, including emergency access; ensure that the modular home is only used as a seasonal residence.</p> <p>Site Plan control may also be required to ensure a development agreement is registered in support of the conversion.</p> <p>Further clarification will be required in the policies to differentiate between mobile homes and seasonal modular homes.</p> |
| 4.3.3.1          | <p><b>Parks &amp; Open Space</b><br/>Review OP policies to expand on parks and trails network. Consider designating trails as part of the Parks and Open Space designation. Further clarification is required regarding the parks hierarchy and standards as they relate to policies for the provision of smaller parks/parkettes/tot lots.</p> | <p><b>Lakeshore OP</b> – Section 4.3.3.1 outlines the Town’s hierarchy of parks and open space facilities, consisting of: Neighbourhood Parks, Community Parks, Municipal Parks, Regional Parks and Specialized Park (Lakeview Park). The Neighbourhoods Park designation does not refer explicitly to smaller parks (parkettes or tot lots).</p> <p>Major parks are designated as Parks and Open Space on the land use schedules. Small scale parks and open space uses are permitted in the residential designations, including neighbourhood parks. However, major parks are only permitted in the Parks and Open Space designation.</p> | <p><b>Option 1:</b> Status quo.</p> <p><b>Option 2:</b> Expand policies to explicitly address permission and criteria for small parks. This may be addressed as a component of the Neighbourhood Parks designation or as a new category (e.g., Small-Scale Neighbourhood Parks). Further, small parks and/or trails may be designated on the land use schedules.</p>   | <p>It is recommended that the policies of the Neighbourhood Park designation be expanded to address small parks/parkettes/tot lots. While parkettes may be smaller than the Neighbourhood Parks described in the OP, their function to serve the immediate community is the same, so a new park category is not required, but a description of these types of parks should be included.</p> <p>Further discussion with the Town is required to identify appropriate standards for the provision of smaller parkettes in relation to the Town’s maintenance and programming objectives for such smaller park facilities.</p> <p>There is also an option to designate smaller parks and trails in the land use schedules. Some municipalities</p>                            |

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|                  |  |   |   | <p>identify all parks and trails on their land use schedules. Smaller trails and parks may be addressed as a permitted use within other land use designations, such as residential, which is quite common and provides greater flexibility for the configuration and size of such smaller parks without necessitating amendments to the OP.</p> <p>Consideration should also be given to incorporating parks and trails as part of the natural heritage system strategy (S. 5.2).</p>                                     |
| 4.3.3.1, 7.2     | <p><b>Active Transportation</b><br/>A new County Wide Active Transportation System (CWATS) study has been undertaken to update trails and multi-use pathways which may be reflected in the OP.</p>   | <p><b>Lakeshore OP</b> – The schedules of the Town’s OP do not currently illustrate trails. The OP makes many references to trails, and they are generally encouraged to create linkages and promote active transportation. Section 7.2.4 discusses trails and the Town’s policies for providing trails and active transportation routes.</p> <p><b>County Wide Active Transportation System Study</b> – A CWATS study by the County has been completed to identify trails and multi-use pathways. Mapping identifies trails and recreational facilities across the Town.</p>   | <p><b>Option 1:</b> Status quo.</p> <p><b>Option 2:</b> The Town may wish to consider updating their Trails Master Plan to reflect the CWATS and identify future trail opportunities in the Town.</p> <p><b>Option 3:</b> Illustrate trails on a schedule/map with supportive policies.</p>   | <p>It would be beneficial to identify the Town’s trail network on a context map or Schedule and to introduce and describe the active transportation network map in Section 7.2.4. Option 2 may be considered to identify potential future trail routes; Option 3 is recommended to identify the active transportation network and identify potential future trail routes in the Official Plan so they may be acquired, where necessary, through the development approvals process.</p>                                    |
| 4.3.3.3          | <p><b>Parkland Dedication</b><br/>Review of parkland dedication policies in relation to the Town’s new Parkland dedication By-law 42-2014, and Official Plan policies pertaining to cash-in-lieu. The Town will be reviewing their fees with respect to cash-in-lieu of parkland dedication.</p> | <p><b>Lakeshore OP</b> – Section 4.3.3.3 of the Town’s OP provides policies regarding parkland dedication. It is intended that the maximum benefit will be secured under the <i>Planning Act</i> and that criteria apply for accepting land or cash-in-lieu.</p> <p><b>Parkland Dedication By-law</b> – The Town passed a new Parkland Dedication By-law as By-law No. 42-2014. While the by-law is consistent with the OP’s policies, it provides more detail, including dedication requirements for mixed uses; detailed cash-in-lieu values, exemptions and other specifics.</p> <p><b>Bill 73</b> – Bill 73 included changes to Parkland dedication requirements under the <i>Planning Act</i>, including the need to prepare a Parks Plan in order to identify policies for payment-in-lieu of parkland. This applies only to new OP policies. Additionally, the ratio to be used to calculate payment-in-lieu of parkland dedication is 1 hectare for every 500 dwelling units proposed. This is reduced from the requirement of 1 hectare for every 300 dwelling units. The Town is considering undertaking the development of a Parks Plan in 2016.</p> | <p>There is an option to incorporate some of the details of the Parkland Dedication By-law into the OP. This may include identifying the cash-in-lieu requirement of 1 hectare for every 500 dwelling units as now set by Bill 73, which amended the <i>Planning Act</i>.</p> <p>To assist in understanding parkland needs, consideration may be made to develop a Parks Plan. However, a Parks Plan does not appear to be required to support cash-in-lieu of parkland policies, since the cash-in-lieu of parkland policies were included in the Town’s OP before Bill 73 came into effect.</p> | <p>The policies should generally be broad enough to enable flexibility and modify the by-law as needed without the need to amend the OP. However, as the OP promotes more mixed use development in accordance with County and Provincial policy, it may be desirable to integrate Parkland Dedication requirements for mixed use development to provide clarity. This may integrate the dedication requirement for residential uses in 4.3.3.3 b) along with the commercial use dedication requirement in 4.3.3.3 c).</p> |

| Relevant Section                              | Key Issue  | Existing Policy Context  | Options / Discussion   | Rationale / Policy Direction   |
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| <b>5.0 Protecting Natural Resource Assets</b> |  |  |  |  |
| 5.1   | <p><b>Source Protection Plans</b><br/>Implementation of the Essex Region Source Protection Plan and the Thames–Sydenham and Region Source Protection Plan including significant threats and designated vulnerable areas. As part of the review, we will develop policies and associated mapping to implement the Source Protection Plans (SPPs) and ensure that Planning decisions are in conformity with the policies that address significant drinking water threats as per Section 39(1)(a) of the <i>Clean Water Act</i>.</p> <p>ERCA is proposing to provide Risk Management Services on behalf of the Town to implement the Essex Region Source Protection Plan. Official Plan policies to address the implementation of the SPP will be considered.</p> | <p><b>County OP:</b></p> <ul style="list-style-type: none"> <li>Section 2.5 provides policies for managing water resources. Impacts on water resources are to be minimized, and water features, ground water features, hydrologic functions and natural heritage features and areas are to be identified. Linkages and functions between surface water features are to be maintained. Low impact Development strategies and sustainable use of water is promoted. The County supports the development of watershed/subwatershed plans for Primary Settlement Areas.</li> <li>Source Water Protection policies are identified in Section 2.5.1. There are two Source Protection Plans prepared under the <i>Clean Water Act</i>, 2006, applicable to the Town of Lakeshore. Once approved, decisions under the <i>Planning Act</i> are required to conform to the significant threat policies.</li> <li>Schedules C3, C4 and C5 identify vulnerable source water areas, including Intake Protection Zones (IPZs), Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs). <ul style="list-style-type: none"> <li>IPZs are areas where run off could directly impact source water. There are three such zones identified in the County. Some uses are to be prohibited in these areas or be subject to circulation to a Risk Management Official. Much of Lakeshore is subject to Intake Protection Zone 3. Lands near Belle River and Stoney Point are subject to Intake Protection Zone 2. Two instances of Intake Protection Zone 1 appear to be located within Lake St. Clair, just north of Belle River and Stoney Point.</li> <li>HVAs and SGRAs relate to ground water. In these areas, protection from contamination of groundwater resources is required. In Lakeshore, much of Lighthouse Cove and lands to the south are included in an HVA (Schedule C4). Several low vulnerability level significant groundwater recharge areas are identified in Lakeshore, including two in proximity to Highway 401 and one in the vicinity of Lighthouse Cove. Much of Lighthouse Cove and lands to the south are considered high vulnerability SGRAs.</li> </ul> </li> </ul> <p><b>Lakeshore OP:</b></p> <ul style="list-style-type: none"> <li>Section 5.1 addresses policies for the Town’s water resources. The policies were developed prior to the Source Water Protection plans being developed.</li> <li>The Town encourages preparing watershed/sub-watershed management plans. Applications proposing private water resources are to submit a hydrogeological study to determine suitability.</li> <li>Section 5.1.1 addresses aquifer and groundwater protection. The Town is to develop a Wellhead Protection Area public awareness program and require groundwater impact assessments as part of development proposals according to potential for impact.</li> <li>Section 5.1.2 addresses watercourses. Natural heritage enhancements are encouraged along with best management practices during construction. The Town will consult with the Conservation Authority to determine an appropriate top of bank setback for new development.</li> </ul> <p><b>Source Protection Plans:</b></p> | <p>Implementation of the Source Protection Plans is required in accordance with the <i>Clean Water Act</i>. Since the Lakeshore OP was prepared prior to the Source Protection Plans, changes to the OP are required to implement these Plans, particularly updates to Section 5.1.</p> <p>In conformity with the SPP and the County of Essex OP, the IPZs should be identified on an Official Plan Schedule and supporting policies are required to prohibit certain uses within these areas.</p> | <p>The IPZs should be identified in a new schedule to the OP. The schedule would be associated with policies which prohibit certain uses within the areas, in conformity with the Source Water Protection Plans.</p> |

| Relevant Section | Key Issue  | Existing Policy Context  | Options / Discussion  | Rationale / Policy Direction   |
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|                  |  | <ul style="list-style-type: none"> <li>The eastern portion of the Town, including Comber and Lighthouse Cove, is subject to the Thames-Sydenham Source Protection Plan. The remainder of the Town is subject to the Essex Region Source Protection Plan.</li> <li>The Thames-Sydenham Source Protection Plan (amended) was submitted for approval to the Ministry in June 2015, and there is an expectation that the Plan will become effective in January 2016.</li> <li>The Essex Region Source Protection Plan was approved on April 15, 2015 and become effective on October 1, 2015. The OP is considered to be an important tool for implementing the SPP.</li> </ul>  |   |  |
| 5.2              | <b>Natural Heritage</b><br>Updates to the natural heritage policies to ensure consistency with the Natural Heritage Reference Manual, Second Edition, and the new PPS, 2014, as well as updates to reflect recent natural heritage feature and system mapping, including the designation of additional PSWs. | In support of the Official Plan Review, ERCA will be conducting a review of the natural heritage and hazard policies to ensure conformity with the PPS and the County of Essex Official Plan.  | The OP will need to be revised to be consistent with the 2014 PPS and to incorporate the designation of recently evaluated Provincially significant wetlands, including Russell Woods PSW.  | Revisions to the policies will be recommended to address conformity with the PPS and County of Essex OP, subject to further review with ERCA and LTVCA.<br><br>Policy recommendations with respect to Natural Heritage and Hazards will be further identified through the ongoing Natural Heritage Review. |
| 5.2              | <b>Endangered Species Act</b><br>Review of natural heritage features and functions policies in relation to the <i>Endangered Species Act</i> , and policies and procedures for review of development applications.   | <b>Endangered Species Act</b> <ul style="list-style-type: none"> <li>The <i>Endangered Species Act, 2007</i>, is intended to identify species at risk, protect them and to promote stewardship activities to assist in their protection and recovery.</li> <li>There are two regulations under the Act – O.Reg. 230/08 lists the extirpated, endangered, threatened and special concern species in tables. The lists were last amended by O.Reg. 66/15. O.Reg. 242/08 outlines prescribed habitats for certain species as well as exemptions of activities respecting protection of certain species and more broadly.</li> </ul> <b>2014 PPS</b> <ul style="list-style-type: none"> <li>The 2014 PPS now defines habitat of endangered species and threatened species.</li> <li>The PPS was revised to not permit development and site alteration in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements (S. 2.1.7). Previously, development and site alteration was expressly not permitted within significant habitat of endangered species and threatened species, however, now it may be permitted subject to provincial and federal requirements. Furthermore, the PPs does not provide specific policy regarding development and site alteration within adjacent lands.</li> </ul> <b>Essex OP</b> <ul style="list-style-type: none"> <li>Section 3.4.3 provides policies regarding natural environment protection, including</li> </ul> | The OP will need to be revised to incorporate PPS 2014 definition of habitat of endangered species and threatened species for clarity and ensure consistency in interpretation, and revisions to the policies, to address the provincial and federal requirements, and associated guidelines.<br><br>Further policy guidance may be warranted to include policies and procedures for the review of development applications to provide greater certainty to the municipality and landowners (i.e., SAR Technical Memo). | Revisions to the policies will be recommended to address conformity with the PPS and County of Essex OP, subject to further review with ERCA and LTVCA.  |

| Relevant Section | Key Issue  | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction   |
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|                  |  | <p>endangered species. Development and site alteration is not permitted on lands designated Natural Environment, and this includes significant habitat of endangered species and threatened species.</p> <ul style="list-style-type: none"> <li>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.</li> <li>Criteria for identifying significant habitat for endangered and threatened species includes: EISs reviewed and approved by MNR; Habitats or areas delineated by MNR or under the <i>Endangered Species Act</i>; Habitat necessary for maintenance, survival, or recovery of populations of endangered species or threatened species.</li> </ul> <p><b>Lakeshore OP</b></p> <ul style="list-style-type: none"> <li>Section 5.2.2 outlines policies for the protection of Significant Habitat of Endangered Species and Threatened Species. Development and site alteration will not be permitted in the Significant Habitat of Endangered Species and Threatened Species.</li> <li>Development and site alteration will not be permitted on land adjacent to the Significant Habitat of Endangered Species and Threatened Species (defined to be 120m), unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated.</li> </ul>  |  |  |
| 5.3.1            | <p><b>Mineral &amp; Petroleum Resources</b><br/>Clarification regarding consent policies in relation to petroleum and salt deposits.</p> | <p><b>PPS 2014</b></p> <ul style="list-style-type: none"> <li>The PPS (S. 2.3.6.1) permits the extraction of minerals, petroleum resources and mineral aggregate resources in prime agricultural areas, and provided that the site will be rehabilitated (S. 2.4.4.1).</li> <li>While lot creation in prime agricultural areas is discouraged, it may only be permitted for infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way (S. 2.3.4.1 d)). Therefore the onus is on the applicant to demonstrate that the use of an easement or right-of-way is not possible, and provided the other requirements of the PPS have been addressed.</li> <li>In consultation with the Province (email dated March 4, 2015), this requires that, new land uses, including the creation of lots shall comply with the minimum distance separation formulae (S. 2.3.3.3). As a result, a consent application for infrastructure must demonstrate compliance with MDS I setbacks for a Type A land use in accordance with the MDS.</li> </ul> <p><b>Lakeshore OP:</b></p> <ul style="list-style-type: none"> <li>The Agricultural Lot Creation &amp; Lot Adjustment policies in S. 6.2.3 do not provide specific guidance on the creation of new lots in prime agricultural areas for the purposes of infrastructure.</li> <li>The extraction of aggregate, mineral or petroleum resources is a permitted use in the Agricultural Area (S. 6.2.1) provided it is in accordance with the <i>Aggregate Resources Act</i>, the <i>Mining Act</i> or the <i>Oil, Gas and Salt Resources Act</i>, as appropriate, subject to the policies of Section 5.3 of the Plan.</li> </ul> | <p>It is recommended that further policy direction be provided in Section 6.2.3 (Agricultural Lot Creation &amp; Lot Adjustment policies) to permit lot creation in the Agricultural Area for the purposes of infrastructure in accordance with the PPS, and provided that the applicant has demonstrated that the facility or corridor cannot be accommodated through the use of easements or rights-of-way, and that other requirements have been met, including complying with the applicable MDS Formulae.</p> | <p>Revisions to S. 6.2.3 are recommended to clarify the lot creation policies in the agricultural area for purposes related to infrastructure.</p> |

| Relevant Section | Key Issue  | Existing Policy Context   | Options / Discussion  | Rationale / Policy Direction   |
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| 5.4.1            | <p><b>Natural Hazards</b><br/>Review of natural hazards policies particularly in relation to the proposed development within Lighthouse Cove.</p> <p>Additional policies are warranted regarding development within flood prone areas and the long-term provision of infrastructure.</p> | <p><b>PPS 2014:</b></p> <ul style="list-style-type: none"> <li>• In accordance with the PPS (S. 3.1.1) development shall generally be directed to areas outside of: <ul style="list-style-type: none"> <li>a) hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;</li> <li>b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and</li> <li>c) hazardous sites.</li> </ul> </li> <li>• Development and site alteration shall not be permitted within (S 3.1.2): <ul style="list-style-type: none"> <li>a) the dynamic beach hazard;</li> <li>b) defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);</li> <li>c) areas that would be rendered 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; and</li> <li>d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.</li> </ul> </li> </ul> <p><b>County OP:</b></p> <ul style="list-style-type: none"> <li>• S. 2.4 provides policies to direct development to areas outside of areas susceptible to flood or other hazards as depicted on Schedule “C1”.</li> <li>• It is a policy of the Plan to identify the Lake St. Clair, Detroit River and Lake Erie floodprone areas as being susceptible to flooding and erosion hazards. The regulatory flood standard for flood plains will be the one in one hundred year (1:100) or maximum observed flood condition for the Essex Region watersheds and the one in one hundred year (1:100) or maximum observed flood condition which is the two hundred and fifty year (1:250) flood condition affecting the Thames River and its tributaries for the Lower Thames Valley watersheds.</li> <li>• Development and site alteration shall only be permitted in areas identified as being susceptible to flooding and/or erosion if: <ul style="list-style-type: none"> <li>i. The hazard can be safely addressed.</li> <li>ii. New hazards are not created and existing hazards are not aggravated.</li> <li>iii. No adverse environmental impacts will result (preparation of an Environmental Impact Assessment may be required).</li> <li>iv. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion or other emergencies.</li> <li>v. The development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.</li> </ul> </li> </ul> <p><b>Town OP:</b></p> <ul style="list-style-type: none"> <li>• The 2014 PPS’s policies with respect to flood hazards has not changed since the 2005 PPS, and the policies in the Town’s OP therefore remain appropriate.</li> <li>• The floodprone areas for Lake St. Clair are addressed through the policies of S.</li> </ul> | <p>The natural hazard policies are subject to further review through the Natural Heritage Review being undertaken by ERCA, in consultation with the Town and LTVCA.</p> <p>Certain areas of the municipality, in particular along the Lake St. Clair shoreline have significant challenges with development, particularly with respect to ingress and egress from flood prone areas (PPS).</p> <p>ERCA has identified areas of shoreline which have significant issues related to ingress/egress and pose challenges for development. These include areas of roads where the elevations do not meet Provincial flood proofing standards, and would become flooded, hindering safe access.</p> <p>As part of this review, consideration will be given to assist in determining which areas may be identified in the OP as being more challenging areas to develop (e.g., Crystal Beach, Couture Beach, and Lighthouse Cove) given the issues associated with ingress and egress from flood prone areas.</p> <p>Other matters to be considered and identified in consultation with the Town/CA’s, include:</p> <ul style="list-style-type: none"> <li>• The limits of the Lake St. Clair Floodprone Areas;</li> <li>• Assessment of the dynamic beach hazard;</li> <li>• Minimum flood protection standards;</li> <li>• Appropriateness of vehicular access routes during flood events;</li> <li>• Assessment of hazards on a comprehensive basis rather than an individual lot basis; and</li> <li>• Clarification on activities that are not required to meet certain policies for development in hazard lands (re: ERCA Information Sheet).</li> </ul> | <p>Recommendations will be forthcoming through the Natural Heritage/Hazard Land Review to identify recommended revisions to the natural hazard policies particularly as it relates to flooding hazards.</p> <p>Consideration may be given to identifying (through policy or mapping within an Appendix to the OP) areas that pose significant challenges for development, related to access in floodprone areas.</p> |

| Relevant Section | Key Issue  | Existing Policy Context  | Options / Discussion  | Rationale / Policy Direction  |
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|                  |  | <p>5.4.1.3, and are generally reflective of the PPS and County OP.</p> <p><b>Conservation Authorities:</b><br/> ERCA has developed an Information Sheet to assist in identifying matters to be addressed to undertake new development (construct a new building, major building addition/renovation or building reconstruction) within a hazard area in accordance with provincial and local Conservation Authority policies, including:</p> <ul style="list-style-type: none"> <li>• Development and site alteration is carried out in accordance with floodproofing standards, protection works standards/erosion standards, and access standards;</li> <li>• Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;</li> <li>• New hazards are not created and existing hazards are not aggravated; and</li> <li>• No adverse environmental impacts will result.</li> </ul> <p>Certain activities, although requiring a permit or clearance from the Conservation Authority, are generally not required to satisfy all Provincial and Conservation Authority guidelines/policies for new development in hazard areas. These include:</p> <ul style="list-style-type: none"> <li>• Detached structures less than 100 ft<sup>2</sup> (9.29 m<sup>2</sup>) in size.</li> <li>• Building additions, up to 50 percent of the size of the original building, provided that the number of dwelling units is not increased and provided that the floodproofing elevation is not less than the original building.</li> <li>• Placement and grading of fill.</li> <li>• Open decks.</li> <li>• Minor maintenance, repairs, renovations.</li> <li>• Landscaping.</li> </ul> |   |   |
| 5.4.2.1.1        | <p><b>Environmental Procedures for Potentially Contaminated Sites</b><br/> Further clarification is required in the OP regarding the process and standards for undertaking Environmental Site Assessments (i.e., CSA vs. RSC standards), and when a Phase 1 ESA is required.</p> | <p><b>County OP:</b></p> <p>Section 2.6 requires that local Official Plans include policies relating to the following for any known human made hazards:<br/> b) include policy direction for the re-use of contaminated and hazardous sites and adjacent lands specifically including:<br/> iv) where contamination has been identified, the requirement for a letter from the Ministry of the Environment acknowledging receipt of a “Record of Site Condition” prior to development approvals being granted.</p> <p><b>Lakeshore OP:</b></p> <p>Section 5.4.2.1.1 deals with Environmental Procedures for Potentially Contaminated Sites and outlines the requirements for the development or redevelopment of potentially contaminated sites. This may require the preparation of a Record of Site Condition (RSC), or a Phase I Environmental Site Assessment (ESA) for the land subject to the application(s), if in the Town’s opinion (or as required by Provincial regulation) the previous uses on the subject land or in the vicinity of the subject land presents the potential for site contamination and where there is a land use change proposed to a more sensitive use.</p> <p>Section 8.3.11 identifies an RSC and ESA as a supporting study that may be required in support of a development application.</p>   | <p>The policies of S. 5.4.2.1.1 may be revised to clarify the requirements for the submission of ESA and RSC. Clarification may be provided under what circumstances a Phase 1 ESA or RSC is required, which would include:</p> <p>Where a property is changing from an industrial, commercial use, or community use (in whole or in part) to:<br/> i. agricultural or other use; ii. institutional use; iii. parkland use; or iv. residential use; a RSC or Phase 1 is required.</p> <p>Furthermore, if there is in the Town’s opinion that previous uses on the subject property or an adjacent property presents the potential for contamination, and there is a change in land use to a more sensitive use, an RSC/ESA may be required. It is anticipated that the requirement for such study would be identified through the pre-application consultation meeting.</p> <p>The policies may also clearly outline under what circumstances a Phase 2 ESA is required in accordance with the regulations.</p> | <p>Revisions to S. 5.4.2.1.1 are recommended to clarify the requirements for the preparation and process for undertaking RSC/ESA.</p> |

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|                     |   | <p><b>Environmental Protection Act:</b></p> <p>The <i>Environmental Protection Act</i> (EPA) establishes requirements for the preparation of a Record of Site Condition (RSC) which is implemented through regulation (O. Reg. 153/04). Where there is a mandatory requirement for an RSC, the Chief Building Official is obligated to require an RSC before issuing a building permit. However, there are instances where an RSC may be required by a municipality even when not mandated under the EPA.</p> <p>Where a property is changing to a more sensitive land use a RSC is mandatory. Section 14, of O. Reg 153/04 outlines the requirements for when a RSC is required. Typically if a property is changing from an industrial, commercial use, or community use (in whole or in part) to: i. agricultural or other use; ii. institutional use; iii. parkland use; or iv. residential use; a RSC is required.</p> <p>Furthermore, (S. 32. (1)) requires that: For the purposes of submitting a record of site condition for filing under subsection 168.4 (1) of the Act in respect of a property, a phase two environmental site assessment is required,</p> <ul style="list-style-type: none"> <li>(a) if during a phase one environmental site assessment of the property, a potentially contaminating activity is identified on, in or under the property; or</li> <li>(b) if the property is used, or has ever been used, in whole or in part for an industrial use or for any of the following commercial uses, <ul style="list-style-type: none"> <li>(i) as a garage,</li> <li>(ii) as a bulk liquid dispensing facility, including a gasoline outlet, or</li> <li>(iii) for the operation of dry cleaning equipment. O. Reg. 511/09, s. 14.</li> </ul> </li> </ul> |   |  |
| <b>6.0 Land Use</b> |   |   |   |  |
| 6.2.3               | <p><b>Minimum Agricultural Lot Size</b></p> <p>Review of minimum agricultural lot size requirements in relation to the ongoing County of Essex Agricultural Lot Size Study.</p> | <p><b>2014 PPS</b> – The 2014 PPS discourages lot creation in prime agricultural areas. It is only permitted for certain reasons, such as: creation of lots for agricultural uses; lots for agriculture-related uses; lot creation for residence surplus to a farming operation; and lots for infrastructure. The PPS does not specify a minimum lot size. Based on previous experience, OMAFRA generally considers 40ha to be an appropriate minimum lot area in the Agricultural Area.</p> <p><b>County OP</b> – Section 4.6 notes that lot creation through consent is a responsibility of the local municipalities. Under section 4.6.4, local Official Plans are to contain policies respecting lot creation, in conformity with the County OP and Provincial policy. Section 3.3.3.4 outlines policies for lot creation in agricultural areas. The County is currently undertaking an Agricultural Lot Size Study to determine lot size for new agricultural lots. The section includes criteria for lot creation:</p> <ul style="list-style-type: none"> <li>• Lot creation to accommodate agricultural uses is to be considered where lots are appropriate to accommodate the use and provide for flexibility, along with compliance with MDS formulae.</li> <li>• Lot creation for agriculture-related uses is considered where the use is compatible and the new lot is limited to the size required to accommodate the use and services.</li> <li>• Lot creation for accommodating a residence surplus to a farming operation as a result of farm consolidation is permitted subject to a local ZBLA to ensure that future</li> </ul>  | <p>The policies of the Lakeshore OP regarding lot creation in agricultural areas generally conform to the policies of the PPS and County OP. A couple of policies and changes may be considered as follows:</p> <ul style="list-style-type: none"> <li>• Consideration may be made to add a policy respecting lot creation for the purposes of infrastructure, as in the PPS and the County OP.</li> <li>• Consideration must be made to implement the County’s Agricultural Lot Size Study once complete. If a 40-hectare minimum lot size is required as is currently proposed in the study, this more restrictive requirement will need to be considered in the Lakeshore OP, along with the criteria for consideration of smaller lot sizes under Section 6.2.3 a) i).</li> </ul> | <p>The proposed new policy respecting infrastructure-related lot creation should be included to address conformity with the County OP and consistency with the PPS.</p> <p>Implementation of the lot size requirement is subject to considering the recommendations contained in the Agricultural Lot Size Study.</p> <p>Since the Town’s OP will need to conform to the direction of the County OP, it is recommended that the Town take a proactive approach in engaging with the County on this study, particularly regarding the consideration of larger minimum agricultural lot sizes.</p> |



| Relevant Section | Key Issue   | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction  |
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|                  |   | <p> dwellings will be prohibited on the remnant farmland parcel. Farm consolidation is permitted for both contiguous and non-contiguous farm parcel consolidations.</p> <ul style="list-style-type: none"> <li> Lot creation for infrastructure is permitted where easements or rights-of-way cannot accommodate the infrastructure.</li> <li> Lot adjustments for technical reasons which do not result in new lot creation is permitted.</li> </ul> <p><b>Lakeshore OP</b> – Section 6.2.3 addresses agricultural lot creation and lot adjustments. The minimum required size of retained and severed lots is to be a minimum of 20 ha. There are criteria for considering smaller lot sizes through a zoning by-law amendment, such as viability of the parcel; appropriate size of the parcel for the type of agricultural use; appropriate size of the parcel for the area in which the parcels are located; and sufficient size to allow for flexibility for changes in the type or size of agricultural operations.</p> <p><b>County Agricultural Lot Size Study:</b> The Study is currently underway and subject to further consultation. The current draft directions of the study propose a minimum 40 hectare lot size for agricultural uses.</p>  |  |   |
| 6.2              | <p><b>Agricultural Permitted Uses</b><br/>Review of agricultural land uses policies in relation to agricultural uses adjacent to natural heritage features, as well as consideration of the Province's new draft "Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, February 2015."</p> | <p><b>PPS 2014</b> – Section 2.3.3 of the PPS outlines permitted uses for prime agricultural areas, including agricultural uses, compatible agriculture-related uses and on-farm diversified uses (defined terms). All types, sizes and intensities of agricultural uses and normal farm practices are to be promoted and protected in accordance with Provincial standards. Municipal planning documents may establish criteria for agriculture-related uses and on-farm diversified uses.</p> <p><b>Province's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (Draft, February 2015)</b> – The Province has prepared a draft document to assist municipalities and others in interpreting the PPS 2014 on the uses permitted in prime agricultural areas. It provides an annotated discussion of each policy under Section 2.3 of the 2014 PPS.</p> <ul style="list-style-type: none"> <li> The PPS's definition of agricultural uses is broad with examples provided. Crops must produce a harvestable product and animals must be raised, live on or be used on the farm. On-farm buildings and structures that are integral to the farm operation are considered agricultural uses. This includes barns, silos, greenhouses for growing, a farm dwelling along with value-retaining facilities.</li> <li> It is inappropriate for municipalities to adopt policies to prohibit certain types of agricultural uses or farm uses. Changes in the type of agricultural uses is not intended to trigger a <i>Planning Act</i> approval. Guidelines from the Province are to be applied for livestock facilities.</li> <li> Criteria are provided within the definitions for on-farm diversified uses and agriculture-related uses. The Province's Guidelines provide a detailed analysis of the criteria and some examples of what would constitute an on-farm diversified use and an agriculture-related use.</li> <li> Generally, it is acknowledged that municipalities exempt agricultural uses from site plan control and this should continue. However, consideration can be made to subject on-farm diversified uses to site plan control and potentially for some agriculture-related uses. Similarly, other municipal by-laws can be used (e.g., for signage). Zoning may also be used to manage the uses and implement the OP criteria.</li> </ul> | <p>The Lakeshore OP's policies for agriculture related uses, home occupations and home industries may be modified to be better coordinated with the PPS, utilizing the terms agriculture-related uses and on-farm diversified uses, as defined in the PPS. The interpretation of the criteria for these uses as outlined in the Province's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas should be considered in the OP.</p> <p>Consideration should be made to remove the policy respecting wind energy conversion systems (subject to a Zoning By-law amendment), as this is now regulated in accordance with the <i>Green Energy Act</i> and subject to Provincial approvals.</p> <p>The Lakeshore OP does not conflict with the County's OP or Provincial policy with respect to agricultural uses located within or near natural heritage systems and features. As an option, consideration could be made to elaborate on Section 6.2.2 b), clearly noting that agricultural buildings are discouraged in natural heritage features.</p> | <p>It is recommended that policies respecting agriculture related uses, on-farm diversified uses, and similar uses should be better aligned with the County OP and the PPS, with consideration for the Province's guidelines to provide additional details and criteria. The greatest flexibility in agricultural use permissions is recommended to ensure the continued viability of agricultural uses in the Town.</p> <p>The policy regarding wind energy systems should be removed as it conflicts with the <i>Green Energy Act</i>.</p> <p>Section 6.2.2 b) is recommended to be expanded to clarify that agricultural buildings are discouraged within or adjacent to natural heritage features and should be directed to other parts of the lot.</p> |

| Relevant Section | Key Issue   | Existing Policy Context   | Options / Discussion  | Rationale / Policy Direction   |
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|                  |   | <p><b>Natural Heritage Reference Manual</b> – Section 3.4.5 notes that agricultural lands are important for developing natural heritage systems in fragmented landscapes. It is a common practice to use an overlay approach to identify natural heritage systems, features and areas within prime agricultural areas to consider their protection and enhancement, without limiting existing agricultural uses to continue.</p> <p><b>County OP</b> – Section 3.3.3.1 outlines permitted uses for the Agricultural designation. Permitted uses include agricultural uses, secondary uses and agriculture-related uses; forestry, conservation/wildlife/fisheries management; watershed management; single detached dwellings in conjunction with agricultural uses (only on existing lot of record or lot approved as a residence surplus to a farming operation; accessory farm accommodation; and passive recreational uses.</p> <p>With respect to agricultural uses permitted adjacent to natural heritage features, Section 3.4.6 c) recognizes woodlots as viable components of farming operations. Part d) notes that lands designated agricultural with significant natural heritage features or adjacent to areas with significant natural heritage features, the construction of greenhouses and other agricultural buildings is strongly discouraged.</p> <p><b>Lakeshore OP</b> – Much of the Town is designated Agricultural, and it is all considered to be prime agricultural land. Permitted uses are outlined in Section 6.2.1, consisting of agricultural uses, agriculturally-related uses and secondary agricultural uses. Single residential dwellings are permitted as well as secondary farm residences as may be required for the operation of the farm. Secondary uses are also permitted and agricultural-related commercial and industrial uses. Other uses such as greenhouse farms, wind energy systems, mushroom farms, small-scale home occupations and home industries, new and expanded livestock facilities, existing mobile home parks, aggregate/mineral/petroleum resource extraction and accessory uses are permitted subject to criteria in some cases.</p> <p>The Lakeshore OP identifies natural heritage systems and features as an overlay over the Agricultural designation. This enables appropriate agricultural uses to be permitted, subject to maintaining natural heritage features and functions where development or site alteration is proposed. Section 6.2.2 b) notes that development in the Agricultural Designation is subject to the policies of Section 5.0 and Schedule B to identify natural heritage constraints.</p> |   |  |
| 6.0              | <p><b>Methadone Clinics</b><br/>Update land use policies pertaining to methadone clinics, and in consideration of recent official plan amendments in other municipalities and consideration with respect to the Human Rights.</p> | <p><b>County OP</b> – The County OP does not identify or provide policy direction on methadone clinics.</p> <p><b>Lakeshore OP</b> – The Lakeshore OP does not reference methadone clinics explicitly. It may be interpreted that methadone clinics are permitted in the Major Institutional designation or potentially in other designations where institutional uses are permitted, but at a smaller scale (e.g., Mixed Use designation).</p> <p><b>Lakeshore Zoning By-law</b> – The Town’s Zoning By-law was recently updated to define Methadone Clinics, but did not expressly permit them in any zone category, thus necessitating a zoning by-law amendment in order to consider the proposed use.</p> <p><b>Other municipalities</b> – Other municipalities regulate methadone clinics explicitly. For example, the City of London prepared a Zoning By-law amendment which defines</p>  | <p><b>Option 1</b> – Status Quo would be to maintain current land use permissions. This would leave the Town to interpret which designations permit methadone clinics based on the existing permitted uses.</p> <p><b>Option 2</b> – Treat methadone clinics separately but with a relatively permissive approach in the Official Plan. This would include identifying where methadone clinics are permitted (i.e., within the same designations as other medical uses and pharmacies), but could potentially allow the Zoning By-law to establish some general use provisions, such as parking.</p> <p><b>Option 3</b> – Take a more detailed and restrictive approach</p> | <p>There is no clear land use reason for providing separation distances for methadone clinics. Research undertaken by London indicates that methadone clinics may be associated with land use impacts similar to other clinics and similar uses; other impacts were noted, such as: increased pedestrian traffic; larger parking demands; potential for criminal activity; etc.</p> <p>Some of the land use impacts are reasonable for providing a basis for</p> |

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|                  |           | <p>methadone clinics/pharmacies; requires separation from schools and other community uses; and establishes various parking standards. The City of Markham reviewed the issue and noted that it is important that policies and zoning be based on sound land use planning issues that differentiate this use from other forms of clinics, and not ‘people planning.’</p> | <p>to managing methadone clinics in the Official Plan. This may include limiting methadone clinics to only certain limited designations, such as Major Institutional, along with establishing a framework for setting detailed requirements in the Zoning By-law, such as separation distances, parking standards, etc.</p> | <p>treating methadone clinics separately in the Official Plan and Zoning By-law. This may include minimum parking requirements. However, the impact of increased criminal activity is based on an assumption about users and is not a land use impact that should be regulated in a <i>Planning Act</i> document. Methadone clinics would also be subject to Provincial licensing. The minimum separation distance from community uses is not justifiable from a land use perspective, as it is based on an assumption about the users of the clinic and could be considered people zoning and an infringement on human rights.</p> <p>The City of London’s requirement for minimum waiting room size is difficult to enforce in Zoning or Site Plan Control. The <i>Planning Act</i> does not provide a basis for establishing minimum floor area for different components of a use. However, consideration could be made to define the use itself to manage its intensity (e.g., number of patients, number of staff, or a minimum/maximum floor area of the whole use). The impacts associated with pedestrian traffic, crowding, etc. may be managed this way.</p> <p>The need for methadone clinics should be considered as a social benefit. As much as possible, it is desirable to permit these uses and provide for convenient access by all patients, wherever they may live. It is recommended that the Official Plan permit methadone clinics where other clinics are permitted, but that separate standards be established for parking requirements in the Zoning By-law, and consideration be made to define the use to manage its intensity. Accordingly, Option 2 is recommended.</p> |

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| 6.4              | <p><b>Waterfront Residential Designation</b></p> <p>Concerns have been expressed regarding the scale, height, and setback of new development and the redevelopment of waterfront residences and accessory buildings within the Waterfront Residential designation, and the impacts on adjacent properties. Consideration should be given to including additional land use policies to mitigate these potential impacts.</p> | <p><b>County OP</b> – Lands designated waterfront residential by the Town are designated Secondary Settlement Area in the County’s OP (Schedule A2).</p> <p><b>Lakeshore OP</b> – Lands that are designated Waterfront Residential consists of strips of development along waterfronts and portions of Lake St. Clair. It is intended that the rural and waterfront character be maintained. Development is subject to the environmental policies of the Plan including consideration for hazard lands. A limited range of permitted uses are outlined in Section 6.4.1, including single residential dwellings suitable to accommodate servicing; home occupations; bed and breakfasts, small-scale institutional and park and open space uses; and accessory uses. The Zoning By-law is intended to outline uses in detail. The policies do not address accessory buildings or standards for new development or redevelopment, but generally leave it to the Zoning By-law.</p> | <p><b>Option 1</b> is the status quo option, which limits the policies to use permissions, servicing, and so on.</p> <p><b>Option 2</b> would involve consideration to expand on the policies to speak to managing character of the community, including setbacks, massing, height, scale, etc., as well as requirements for accessory buildings. This may include consideration for:</p> <ul style="list-style-type: none"> <li>• Clarifying the intent and meaning of maintaining the rural/waterfront character in general terms, such as providing for larger setbacks, maintaining views and distance from the water’s edge; and setting maximum building heights; and/or</li> <li>• Directing the Zoning By-law to establish certain setbacks, maximum building heights and permissions for accessory structures that is more consistent with the character of the waterfront residential areas.</li> </ul> | <p><b>Option 2</b> is recommended as an appropriate option to manage the issue. The current policies, although they speak to the intent of maintaining the rural/waterfront character, do not provide further details about how the character is to be maintained, or provide sufficient direction for the zoning by-law to manage these areas differently. New policies should have consideration for maximum height limitations and setback requirements for new dwellings as well as accessory buildings. The diversity amongst the areas designated Waterfront Residential must be considered in the development of policies for managing character.</p> <p>The policies should give clear direction to the implementation of the policies in the zoning by-law.</p> |
| 6.6              | <p><b>Residential Designation</b></p> <p>Similar concerns regarding the scale, height and setbacks of accessory structures within the Residential Designation have been identified. Consideration may be given to including additional land use policies to mitigate these potential impacts.</p>   | <p>The Residential Designation accommodates a range of housing types including low density and medium density housing forms. The OP permits accessory uses to any of the permitted uses within the Residential Designation, and directs the Zoning By-law to establish the specific permitted accessory uses and standards.</p>   | <p>The OP could include more detailed policies to speak to managing the character of the community, including setback, massing, height, and scale requirements for accessory structures. The OP may direct the Zoning By-law to establish more stringent requirements for accessory structures.</p> <p>The Zoning By-law limits accessory structures to a maximum height of 5 metres (unless within the Agricultural zone). Depending on the type of roof proposed, the actual height of the structure may be taller. For example, the definition of height may include only half the height of the roof when measured from the eaves/ridge to the top of the roof. Section 6.5 of the Zoning By-law provides regulations for accessory structures, including setback, coverage and height requirements.</p>  | <p>New policies in S. 6.6 of the OP are proposed to assist in maintaining the character of residential areas, and minimizing the potential impacts associated with accessory structures.</p>   |

| Relevant Section            | Key Issue   | Existing Policy Context                             | Options / Discussion  | Rationale / Policy Direction |
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| 6.6.3.1 / Schedule C.3      | <b>OPA #4 to Permit a Day Care Centre</b><br>Consolidation of OPA #4, a site-specific amendment to permit a day care centre to have direct access to an Urban Residential Local Road. | OPA #4 approved by the County on April 16, 2013.    | The site specific amendment should be consolidated through this review process. | OPA to be consolidated.      |
| Schedule C.9                | <b>OPA #9 Redesignate from Recreational Commercial to Residential Designation</b><br>Consolidation of OPA #9 for a lot addition.  | OPA #9 approved by the County on May 1, 2015.       | The site specific amendment should be consolidated through this review process. | OPA to be consolidated.      |
| 6.9.3.2 / Schedule C.11     | <b>OPA #8 Site specific policy to permit manufacturing of mattresses</b><br>Consolidation of OPA #8.  | OPA #8 approved by the County on May 1, 2015.       | The site specific amendment should be consolidated through this review process. | OPA to be consolidated.      |
| 6.11 (Schedule C.10 Comber) | <b>OPA #2 Redesignation of lands from Service Commercial to Employment in Comber</b><br>Consolidation of OPA #2.  | OPA #2 approved by the County on November 23, 2010. | The site specific amendment should be consolidated through this review process. | OPA to be consolidated.      |

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| 6.15             | <p><b>Urban Reserve Designation</b><br/>Review policies pertaining to the Urban Reserve Designation and requirements for the preparation of a Secondary Plan, particularly in light of the demand for additional employment areas (i.e., Amy Croft/Manning Road, Patillo Advance).</p> | <p><b>County OP</b> – The areas that are designated urban reserve by the Town are designated as Primary Settlement Area in the County OP (Schedule A2) and are considered to form part of the urban area.</p> <p><b>Lakeshore OP</b> – Lands that are designated Urban Reserve include the majority of Wallace Woods; a portion of Patillo/Advance and portions of the Lakeshore West/Manning Road Area (Schedule C). These areas are also designated Urban Reserve Area in the Community Structure Schedule A. Policies for the Urban Reserve Designation in Section 6.4.4 and the Urban Reserve Area in 3.3.12 apply. Other policies for these future communities also apply.</p> <p>In accordance with the Urban Reserve Area policies, a Secondary Plan is required to be prepared to determine appropriate land uses and servicing policies in the Urban Reserve Areas, prior to development taking place. Until that time, only existing uses are permitted. It is anticipated that these lands will be developed over the horizon of the Official Plan.</p> <p>Section 3.3.2 of the OP requires that an expansion of Employment Area only occur at the time of a Comprehensive Official Plan review.</p> | <p><b>Option 1</b> – Status quo: under this option, Secondary Plans would continue to be required in order to permit any development within the urban reserve areas.</p> <p><b>Option 2</b> – There is an option to reconsider the Secondary Plan requirement, and permit certain land uses (i.e., employment) without a Secondary Plan. It will be important to ensure that this does not result in fragmentation of parcels or compromise the ability for future parcels to consolidate and develop.</p> <p><b>Option 3</b> – The Town may consider initiating a Secondary Plan for one of the Special Planning Areas to facilitate and expedite the designation of additional lands for employment uses, in accordance with the existing Official Plan policies.</p> | <p>As part of the OP Review, an Update to the Growth Analysis and employment lands needs is being undertaken, to determine the need and suitable justification for additional employment lands.</p> <p>Consideration will be given to removing certain lands intended for employment development from the requirements of the Special Planning Area study, in order to expedite the available amount of employment land in the short term. Particular consideration will be given to lands within the Patillo/Advance area and the lands adjacent to the existing designated employment area fronting Patillo Road in the Wallace Woods Planning Area.</p> <p>Furthermore, phasing policies may be introduced to the Official Plan which exempts the development of employment lands from certain requirements related to the preparation of the Secondary Plan.</p> |
| 6                | <p><b>Adult Entertainment Establishments</b><br/>Policies are required in the land use section to include policies regarding adult entertainment establishments in the Town.</p>   | <p><b>Municipal Act</b> – The <i>Municipal Act</i> allows municipalities, under a by-law under Section 151 (business licensing by-laws), to define areas in which adult entertainment establishments may or may not operate and limit the number of such establishments in any defined area. Adult entertainment establishments are defined under Section 154(2) to include services, goods and entertainment along with non-medical body rub services. Some municipalities address this in the Zoning By-law for consistency with the licensing by-law. Currently the Town does not have a business licensing by-law to regulate the use.</p> <p><b>County OP</b> – The County’s Official Plan does not address this use explicitly.</p> <p><b>Lakeshore OP</b> – The current Official Plan does not address this use explicitly.</p> <p><b>Lakeshore Zoning By-law</b> – The Town’s Zoning by-law includes definitions for adult entertainment establishments and adult video stores. The uses are not permitted in any zone. There are also no site-specific permissions for adult entertainment establishments.</p>   | <p><b>Option 1</b> – The status quo option is to leave the policies as is, which do not explicitly address this use. Staff would be required to interpret whether a proposed adult entertainment use is permitted in a particular designation (e.g., as part of a commercial recreation establishment or entertainment establishment).</p> <p><b>Option 2</b> – Policies may be introduced to identify where adult entertainment uses are permitted, along with criteria. This may include requiring a ZBLA to permit a proposed new adult entertainment use.</p> <p><b>Option 3</b> – Policies may be introduced to prohibit adult entertainment uses. Under this option, an OPA would be required to permit a new adult entertainment use.</p>                        | <p>It is desirable to have Official Plan policies so that there is a clear basis and understanding of the principles behind establishing more detailed zoning by-law requirements.</p> <p>Option 3 may be considered too restrictive as it will require an OPA to permit a new use. A ZBLA process may be sufficient to provide a thorough planning analysis along with a public consultation process to evaluate a new adult entertainment use. Accordingly, Option 2 is recommended. As part of Option 2, consideration should be made to identify which designation(s) are appropriate for adult entertainment uses. This might include the Service Commercial and Employment Designations with appropriate criteria</p>  |

| Relevant Section                       | Key Issue   | Existing Policy Context  | Options / Discussion  | Rationale / Policy Direction  |
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|  |   |  |   | for locating the uses (separation distances, setbacks, design of the building, etc.).   |
| <b>7.0 Servicing Growth and Change</b> |   |  |   |   |
| 7.2.2.1                                | <b>Transportation System</b><br>Potential updates to the transportation system policies and hierarchy and classification of roads, including potential amendments related to County Road 22 (OPA #3). | <b>Lakeshore OP</b> – OPA 3 to the Town’s Official Plan implemented the County Road 22 Mixed Use Corridor policies to provide for the vision of creating a higher density mixed use, transit supportive corridor over the 13 km route. County Road 22 is recognized as a controlled access highway identified as a Class 1 Arterial Road, under the jurisdiction of the County of Essex. The County maintains control over access, setbacks, traffic management and land configuration. The route consists of two distinct areas: <ul style="list-style-type: none"> <li>Area 1 consists of County Road 19 (Manning Road) to County Road 25 (East Puce Road). Within this area, the County has implemented a formal management policy in which no further access is permitted to County Road 22 beyond the accesses identified conceptually in OPA 3, to County Road 22 (County of Essex By-law 64-2012). Accesses provided in accordance with OPA 3 will still require approval and amendment to County By-law 64-2012.</li> <li>Area 2 consists of County Road 25 to the Belle River bridge. Limited access may be granted within this area with the County’s approval. OPA 3 identifies several conceptual potential future road connections within this area.</li> </ul> <p>The Town’s transportation network including road hierarchy is identified on Schedule “D”. This schedule was not amended by OPA 3. The entirety of County Road 22 is shown as Urban Arterial Road. Section 7.2.2.1.7 contains policies for Urban Arterial Roads, which consist of roads “designed to carry high volumes of traffic from Provincial Highways and other interregional roads to the collector road system and vice versa.”</p> | There is an option to revise the policies so that they better reflect the varied characteristics of County Road 22. This may include: <ul style="list-style-type: none"> <li>Revisions to the policies of 7.2.2.1.7 (Urban Arterial Roads) to identify and distinguish access requirements for the two areas on County Road 22; and/or</li> <li>Identification of new road classifications for County Road 22, to be consistent with the two distinct areas.</li> </ul> | The policies for the Urban Arterial Road are general enough to encompass the different functions and County policies for access along the entirety of the County Road 22 Corridor. This designation was based on the Transportation Master Plan completed in 2008. OPA 3, which will be consolidated into the OP, provides specific context and policies respecting County Road 22. A reference to these policies may be made in Section 7.2.2.1.7, to inform the reader that additional policies apply to County Road 22.<br><br>The Town may wish to consider further updates to the Transportation System policies concurrently with the next update to the Town’s Transportation Master Plan, or at such time as Secondary Plans are undertaken for the Special Planning Areas. |
| 7.2.2                                  | <b>Highway #3 EA</b><br>Review of potential policy implications arising from Provincial Highway #3 Environmental Assessment process.  | Information related to the Highway 3 EA will be considered as the study progresses. The western limits of the Study Area are located within the Town of Lakeshore (west of County Road 8). The purpose of the Class EA is to generate preliminary design alternatives for Highway 3 and intersecting roads, building on the preferred alternatives that were identified in the 2006 Highway 3 Transportation Environmental Study Report and 2010 Essex Transportation Study.   | The Class EA is currently ongoing. PIC #2 was held in June 2013 to discuss the project and review alternatives and preferred alignments and improvements. Next steps include finalizing the preferred alignment and preliminary design. Potential road improvements may be incorporated into land use planning documents.   | The Class EA will continue to be monitored and land use planning implications will be assessed in relation to the Official Plan.  |
| 7.2.2                                  | <b>Classification and Policies for Private Roads</b><br><br>Blanchard Park Road/Way is identified as an Urban Residential Local Road on   | <b>County OP</b> – The County’s OP restricts development on private roads to Plans of Condominium (Section 2.8.1 m).<br><br><b>Lakeshore OP</b> – Section 7.2.2 m) of the Lakeshore OP limits development to lots with frontage on a public road. This may have implications on development on private roads. However, Section 7.2.2 m) also provides for development to occur on a private road which is developed and maintained to a standard acceptable to the Town. Section 8.3.3 e) recognizes that development may occur on private roads as part of a Plan of Condominium.   | Clarification regarding policy 7.2.2 m) should be provided to clarify that development on private roads should only occur as part of a Plan of Condominium, in accordance with the County Official Plan. However, development on existing private roads may be considered. The existing policy does permit new development on a private road provided it is developed and maintained to a standard acceptable to the Town.  | Revisions to the Official Plan’s policies including 7.2.2 m) are recommended to limit development on private roads to existing private roads and as part of a Plan of Condominium. Furthermore, the classification of Blanchard Park Road/Way as Urban Residential Local Road (west of Patillo Road), is incorrect and will be revised.   |

| Relevant Section | Key Issue   | Existing Policy Context  | Options / Discussion  | Rationale / Policy Direction  |
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|                  | Schedule D, however it is a private road. Furthermore, policy 7.2.2 m) limits new development to lots with frontage on a public road which may have implications on new development in this area.                           | Schedule D of the Lakeshore OP identifies Blanchard Park Road/Way as Urban Residential Local Road, however, it is a private road.  | Schedule D of the Lakeshore OP should be revised to remove the Urban Residential Local Road classification for Blanchard Park Road, since it is a private road.   |   |
| 7.3              | <b>Sewage and Water Systems</b><br>Further clarification is required regarding development/consents in proximity to sewage facilities/lagoons, and policies regarding implementation of the Province's D-Series Guidelines. | <b>County OP</b> – The County's OP states that <i>“local municipalities shall map the locations of all municipal/communal sewage treatment plants in their Official Plans and reference the appropriate Ministry of the Environment Guideline for compatibility to sensitive land uses.”</i><br><br><b>Lakeshore OP</b> – Sections 7.3.1.1 b) and 7.3.1.2 j) state that <i>“development in proximity to any water pollution control plant (WPCP) or sewage treatment plant will adhere to the separation distances of the appropriate Ministry of the Environment guidelines. Prior to the approval of any development of a sensitive land use in proximity to a WPCP, the MOE will be consulted, and its guidelines will be satisfied.”</i>   | The Lakeshore OP may include mapping for the Town's sewage treatment plants to conform to the County Official Plan.   | The policies provide that development in proximity to wastewater treatment facilities comply with MOE's D series guidelines. This is consistent with the County Official Plan. No further changes are recommended. It is not recommended that the Province's guidelines be detailed in the OP policies, as they may be subject to change and should be applied on a site by site basis according to the context.<br><br>It is recommended that the sewage treatment plants be identified in the mapping of the Official Plan. This may be incorporated in a new Appendix or as an additional Schedule to the Official Plan or as part of Schedule C. Section 7.3.1.1 b) should be revised to reference the map. This will assist in the reader's understanding of where policies 7.3.1.1 b) and 7.3.1.2 i) are to be applied. |
| 7.3.1            | <b>Servicing Hierarchy</b><br>Review servicing hierarchy in relation to planned/proposed municipal servicing scheme, and provide further clarification on the servicing requirements associated with the                    | <b>County OP</b> – Section 2.10 of the County's OP provides policies for sewage and water systems. The County states that full municipal water and sewage services are preferred for all settlement areas. Partial services are only to be used to address failed on-site systems and to allow for infilling and rounding out of existing development on partial services.<br><br><b>Lakeshore OP</b> – Section 7.3.1 outlines a hierarchy for sewage and water services. The servicing requirement for each community is identified in Section 7.1. All areas are required to have municipal water services (except the Agricultural area), while several communities will have private sewage services. The availability of treatment plants and/or collection systems are identified as footnotes. Each servicing requirement is associated with policies. The policies are not community-specific, but apply to the various community structure policy | The servicing requirements of Table 7.1 were based on the Water and Wastewater Master Plan prepared in support of the new OP. Areas intended to be serviced by Municipal sewage systems, were indicated by “Municipal *” where wastewater treatment and collection system is not currently available (but planned), and “Municipal **” where wastewater treatment plant is available but a collection system is not currently available. The ongoing update to the WWWMP will review and provide recommendations with respect to the Town's servicing strategy. | Further clarification on the servicing requirements is proposed, and revisions will be implemented to S. 7.3.1. It is anticipated that the ongoing Water and Wastewater Master Plan (WWWMP) Update will provide input to the Official Plan review regarding the planned servicing strategy for the Town.<br><br>A specific minimum lot size for private   |



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|                  | <p>settlement areas (i.e., St. Joachim).</p> <p>Further consideration should be given to minimum lot area requirements related to private sanitary systems.</p> | <p>areas based on the intended servicing requirement.</p> <p>The Official Plan does not currently identify a specific minimum lot area requirement on privately serviced lots within the urban areas. However, in the Agricultural area, a minimum lot size of 20 hectares is identified. Sections 7.3.1.2 i) and 7.3.1.3 f) state that “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.”</p> <p><b>Lakeshore Zoning By-law</b> – Lakeshore’s Zoning By-law (January 2012) identifies minimum lot sizes for all zone categories. In some cases, separate minimum lot sizes are established for. This includes:</p> <ul style="list-style-type: none"> <li>• In the Residential Waterfront – Watercourse (RW1) zone, a minimum lot area of 2,000 m<sup>2</sup> is required for municipal sanitary servicing is unavailable, in contrast with a 1,400 m<sup>2</sup> minimum lot area for lots with municipal sanitary servicing.</li> <li>• Similarly, different requirements are set for the Residential Waterfront – Lake St. Clair (RW2) zone, with 1,400 m<sup>2</sup> required where municipal sanitary services are not available, and 800 m<sup>2</sup> is required for municipal sanitary servicing.</li> <li>• In the Hamlet Residential (HR) zone, a minimum lot area of 2,000 m<sup>2</sup> is required where sanitary services are unavailable, and a minimum lot area of 550 m<sup>2</sup> is required where municipal sanitary services are available.</li> </ul> <p>Additionally, it is noted there are larger minimum lot frontage and front/side yard requirements for lots without municipal sanitary services in the RW1 and RW2 zones.</p> <p><b>O.Reg. 358</b> – Ontario Regulation 358 under the <i>Environmental Protection Act</i> outlines setback requirements for septic systems. Setbacks from buildings/structures on the site and property lines are identified. Large setbacks of 15.0 m are required from watercourses and other water features.</p> | <p>Clarification of the servicing requirements, particularly for sewage services, should be provided to better assist in the interpretation and implementation of the Plan.</p> <p>For example, the servicing requirements for the Hamlet Area of St. Joachim is identified as Municipal Water, and Municipal * Sewage (indicating that a wastewater treatment plant and collection system is not currently available), however, municipal sewage services are planned to be provided in the future. As such, the policies of S. 7.3.1.1 (Municipal Water and Sewage Services) would apply. In accordance with 7.3.1.1 e), lot creation on private sewage systems is generally not permitted, however, exceptions may be considered through a site specific amendment to the zoning by-law, and provided the criteria outlined are satisfied, which generally include:</p> <ol style="list-style-type: none"> <li>a master plan is in place to provide future municipal sewage systems;</li> <li>the development will not preclude the expansion of the municipal sewage systems to service the lands;</li> <li>the landowner will connect to the municipal sewage service at such time as it is available;</li> <li>the site conditions are able to accommodate private sewage services;</li> <li>the private sewage system satisfies Town and provincial standards; and</li> <li>the development is consistent with the Official Plan.</li> </ol> <p>Consideration should be given to clarifying the servicing requirements by updating Table 7.1 to reflect the planned provision of services to the unserved settlement areas. Furthermore, a column may be added to Table 7.1 which clearly identifies the applicable servicing policies for each settlement area (i.e., 7.3.1.1 Municipal Water &amp; Sewage Services, 7.3.1.2 Municipal Water &amp; Private Sewage Services, and 7.3.1.3 Private Water &amp; Sewage Services).</p> <p>Consideration should also be given to amending 7.3.1.1 e) to require that “Exceptions will only 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...”</p> <p>A minimum lot size requirement for private septic systems may be introduced into the Official Plan in S 7.3.1.1, 7.3.1.2, and 7.3.1.3.</p> | <p>septic systems is not recommended to be included in the Official Plan. The required minimum lot size may vary depending on the context of the lot (e.g., proximity to watercourses, layout of buildings, soil characteristics, size of the required septic system based on the number of bedrooms, etc.). Accordingly, this should be determined on a case-by-case basis. The Zoning By-law may be best used to establish a minimum lot size. Accordingly, a new policy may be introduced to require that the Zoning By-law should establish minimum lot sizes in consideration of Ministry requirements and guidelines.</p> |
| 7.5              | <b>Utilities &amp;</b>  | <b>Town of Lakeshore Telecommunication Towers Policy</b> – The Town of Lakeshore has   | There is an option to implement the Town’s   | It is recommended that Section 7.5 be   |

| Relevant Section                                    | Key Issue   | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction  |
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|   | <p><b>Telecommunications</b><br/>Reference should be provided to the Town's protocols and procedures for the conducting of public open houses with respect to the placement of telecommunications towers.</p> | <p>implemented a policy respecting Telecommunication Towers (Policy CD-319, dated April 16, 2010). The policy provides guidance regarding consideration of proposals for telecommunication towers and antenna facilities. The policy provides for consultation as well as policies for tower location, siting and aesthetics.</p> <p><b>Lakeshore OP</b> – Section 7.5 of Lakeshore's OP contains broad policies stating that the Town will promote and encourage shared and multiple use of telecommunications towers and corridors; cooperate with private and public telecommunication companies; and work to ensure that corridors are maintained and operated to minimize their impact.</p>  | <p>Telecommunications Policy in the Official Plan, by elaborating on the policies contained in Section 7.5. This may include:</p> <ul style="list-style-type: none"> <li>• Reflecting some of the Town's principles with respect to tower location and aesthetics to minimize impacts, while still encouraging necessary infrastructure and innovation in technology; and</li> <li>• Setting out expectations and principles for consultation and how the Town will work with the telecommunications industry.</li> </ul>  | <p>revised to implement some of the principles and goals with respect to telecommunications towers and land use implications. The Town should continue to implement its policy for Telecommunications Towers, even with the implementation of the Official Plan. Specific process details and consultation requirements should be left to the Telecommunications Policy, while the Official Plan may establish general policies for consultation requirements.</p>  |
| <b>8.0 Implementation &amp; Monitoring the Plan</b> |   |   |  |   |
| 8.1   | <p><b>The Planning Period</b><br/>Revise the planning period and review policies in light of the new County of Essex Official Plan and potential <i>Planning Act</i> reforms.</p>                             | <p>Bill 73, the <i>Planning Statute Law Amendment Act</i>, 2014, proposes changes to the <i>Planning Act</i> and <i>Development Charges Act</i>. The Bill received Royal Assent on December 3, 2015 and is now law. Relevant changes include:</p> <ul style="list-style-type: none"> <li>• The list of matters of Provincial interest is expanded to include built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe accessible, attractive and vibrant.</li> <li>• The required contents of an Official Plan (Section 16(1)) are expanded to include a description of the measures and procedures for informing and obtaining the views of the public in regards to Official Plans/Amendments, Zoning By-laws, Plans of Subdivisions and consents. Previously this was an "optional" component of an Official Plan.</li> <li>• Planning advisory committees are mandatory for single tier municipalities in southern Ontario, as well as all upper tier municipalities.</li> <li>• The review timeframe for an Official Plan is modified to ten years after a new Official Plan has come into effect and every 5 years thereafter.</li> <li>• A Parks Plan is required before a municipality may adopt policies regarding payment-in-lieu of parkland dedication. Further, the rate is calculated at 1 hectare per 500 dwelling units or a lesser rate as may be indicated in the by-law. This is discussed previously in relation to Section 4.3.3.3.</li> <li>• Municipalities may, by by-law, establish criteria to be complied with in order to approve minor variances. Additionally, criteria may be prescribed by the Province which must be applied by the Committee.</li> <li>• Money collected related to Section 37 (bonusing) must be kept in a special account and a financial statement must be made annually by the treasurer.</li> <li>• Proponents cannot apply for amendments to a new comprehensive Zoning by-law or new Official Plan, except with Council approval. Council may grant specific requests or a class of requests by resolution. Proponents also cannot apply for variances within two years of a site-specific zoning by-law amendment coming into effect. However, Council may provide a resolution for exceptions to this rule, including in respect of a specific application or a class of applications.</li> <li>• Municipalities may use alternative dispute resolution in certain appeals, but this is voluntary.</li> </ul> | <p>Where applicable, these changes should be reflected in the new OP.</p> <p>In particular, recognition of the Province's new matter of Provincial interest with respect to built form and public space design should be addressed. The terminology used by the Province should be considered in the policies regarding Built Environment (Section 4.2) as appropriate.</p> <p>Review timelines referenced in the OP with respect to the PPS should be revised (i.e., Section 8.7.1). The 10 year timeframe for new OPs may be clarified in Section 1.1. Similarly, references to the County's 5 year review may need to be clarified as appropriate.</p> <p>Policies regarding measures for consulting the public on a variety of planning applications should be reviewed and (Section 8.4). Section 8.4 currently speaks broadly to <i>Planning Act</i> applications, but there is an option to address the various application types in detail (consultation on subdivisions, OPAs, ZBLAs, and Consents).</p> <p>There are options to address some of the new matters by providing policy guidance in the Official Plan:</p> <ul style="list-style-type: none"> <li>• A policy may be considered to outline the need for a by-law that establishes criteria for considering minor variance applications.</li> <li>• The OP may identify the need to develop a Parks Plan as contemplated by the <i>Planning Act</i>, to inform the development of policies for payment-in-lieu of parkland dedication. However, existing OP policies respecting payment-in-lieu of parkland</li> </ul> | <p>Many of the <i>Planning Act</i> changes result in administrative considerations. They will need to be complied with through development application processes.</p> <p>Specific consultation requirements for various <i>Planning Act</i> applications are required to be included in Official Plans by Bill 73. Currently, Section 8.7.1 addresses consultation requirements broadly for planning applications. To ensure consistency with the Act, consultation requirements for subdivisions, OPAs, ZBLAs and consents should be explicitly identified at a minimum.</p> <p>Section 8.3.2.4 of the OP contains policies for bonusing (density increases in exchange for public benefits) may be revised to identify new responsibilities with respect to managing finances for bonusing. Alternatively, this can be addressed in Section 8.6 – financial management.</p> <p>Consideration can be made to identify policies regarding the <i>Planning Act's</i> restriction on Planning Applications made 2 years after a new OP or Zoning By-law comes into effect. The policies can address circumstances</p> |

| Relevant Section | Key Issue   | Existing Policy Context   | Options / Discussion  | Rationale / Policy Direction   |
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|                  |   | The <i>Development Charges Act</i> changes relate principally to the process and contents of Development Charge By-laws, Studies as well as financial management practices, and do not have any critical bearing on existing OP policies.   | dedication may continue to be used without the need to prepare a Parks Plan.  | under which Council can consider exceptions to this rule.  |
| 8.2              | <b>Official Plan Monitoring</b><br>Review Official Plan monitoring and policies in light of the new County of Essex Official Plan and potential <i>Planning Act</i> reforms.  | <p><b>Lakeshore OP</b> – Section 8.2 of the Lakeshore OP provides policies regarding monitoring and review. This includes providing opportunity for submissions in relation to a five year review; monitoring Employment Area lands; monitoring for specific policies; maintaining a GIS system for monitoring data; amendments to respond to regulatory changes or judicial/quasi-judicial decisions; monitoring servicing capacity; and consideration of Settlement Area boundaries in relation to the County OP Review.</p> <p>The Plan also makes reference to monitoring specific issues in other policies of the Plan, including: monitoring achievement of Hamlet Area policies (Section 3.3.3 c)); The Heritage Committee is to monitor an inventory of heritage resources (Section 4.2.3.2 a)); monitoring intensification activity (4.3.1.2 c)); the Town may prepare and maintain a cultural heritage database and/or heritage management plans (4.2.3.1 f)); monitoring treatment capacities and effectiveness of municipal servicing (7.3.1.1 a)).</p> <p><b>County OP</b> –The County’s OP contains policies for monitoring the County Plan in Section 4.3.</p> <ul style="list-style-type: none"> <li>Section 4.3 e) requires that the number of draft approved and registered vacant lots be monitored through the development approvals process, and local municipalities are to prepare annual status reports on the number of vacant lots available and submit it to the County.</li> <li>Additionally, Section 3.2.7 requires that 15 percent of all new residential development within each local municipality occur by residential intensification and redevelopment. Implementation and annual reporting to the County on meeting this target is the local municipality’s responsibility.</li> </ul> <p><b>Bill 73</b> – The Review timeline for new Official Plans is 10 years; however, the review timeframe in other cases continues to be 5 years.</p> | <p>The Lakeshore OP should incorporate policies to address the County’s requirements for monitoring a) vacant lots that are draft approved or registered; and b) the number of units created through intensification to achieve the 15 percent target. New policies may be integrated into Section 8.2 – Official Plan Monitoring and Review and potentially referenced in Sections 4.3.1.1 (Housing Supply policies) and 4.3.1.2 (Residential Intensification Policies).</p> <p>Review timeframe changes under Bill 73 may be clarified in the OP as noted previously.</p>   | The County’s requirements for monitoring housing supply and intensification will need to be incorporated into the Official Plan to ensure that annual reporting to the County takes places.  |
| 8.3.4            | <b>Site Plan Control</b><br>Further clarification on development applications that are subject to Site Plan Control are required, particularly as it relates to a greenhouse, winery, nut farm, medical marihuana and hemp facility and campgrounds for trailers. | <p><b>County OP</b> – Generally, the County’s OP encourages the use of site plan control, and policies should be detailed in local Official Plans, including a requirement to prepare urban and architectural design guidelines.</p> <p><b>Lakeshore OP</b> – The Town’s OP provides policies regarding the application of site plan control. Certain uses are subject to site plan control, including: wayside pits and quarries, portable asphalt plants &amp; portable cement plants; concession or temporary construction and marshalling yards used for public projects; greenhouse farms; mushroom operations; triplexes/fourplexes/freehold townhouses may be subject to site plan control; places of worship and neighbourhood community and cultural centres within the Residential and Mixed Use designations; high-density residential uses and uses with a non-residential component in the Central Area. In some cases, site plan control is required for certain special planning areas. Currently, site plan control for medical marihuana farms, nut farms and campgrounds is not addressed. OPA 6 requires that industrial hemp production facilities be subject to site plan control.</p>   | <p>There are several potential matters that may be addressed:</p> <ul style="list-style-type: none"> <li>There is an option to revise Section 8.3.4 to list all of the various uses that are subject to site plan control, providing additional clarity to the reader.</li> <li>Consideration can be made to remove certain agricultural uses from site plan control, in consideration of the Province’s guidelines (i.e., mushroom farms, greenhouse farms). However, given the potential impacts associated with these uses, it may be appropriate to require site plan control.</li> <li>Consideration may be made to add uses that should be subject to site plan control, including</li> </ul> | <p>There do not appear to be any major inconsistencies between the Official Plan and Zoning By-law with respect to the uses that should be subject to site plan control. However, the types of uses subject to site plan control may be more clearly listed in Section 8.3.4 of the OP, to provide a consolidated listing.</p> <p>However, the Town has discretion to subject uses to site plan control, provided there are Official Plan policies in place. To be consistent with the Province’s guidelines, agricultural</p> |

| Relevant Section | Key Issue  | Existing Policy Context   | Options / Discussion   | Rationale / Policy Direction   |
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|                  |  | <p>The Town's Zoning By-law outlines site plan control requirements for various uses, including: home industries; mushroom farms; Portable batching or recycling plant, concrete or asphalt, and wayside pits and quarries; agricultural home occupations; value added agricultural uses; automobile sales and service establishments; farm winery; and greenhouse farms.</p> <p>Consideration should also be made to the 2014 PPS and the Province's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas document (Draft, February 2015). The Province supports exempting agricultural uses from site plan control, but that site plan control may be appropriate for some on-farm diversified uses and agriculture-related uses.</p> | <p>medical marihuana facilities, nut farms and campgrounds.</p>  | <p>uses may not be subject to site plan control, but on-farm diversified uses and agricultural related uses may continue to be subject to site plan control.</p> <p>Other uses may be subject to site plan control. A nut farm would potentially be considered an agricultural use by the Province and not recommended to be subject to site plan control. There are benefits to subjecting medical marihuana facilities to site plan control, considering there may be enhanced security needs (OPA #6 currently would require a site plan). Campgrounds may benefit from site plan control to provide Town input with respect to site configuration and potential impacts.</p> |
| 8.3.5.2          | <p><b>Consents</b><br/>Additional policy guidance is required for agricultural severance policies (farm splits) in proximity to wind turbines.</p> | <p>The Ministry of Environment and Climate Change has noted that there is a 550 metre setback applicable to wind energy facilities from noise receptors, including existing dwellings (O.Reg. 359/09). Proponents of wind energy facilities are required to satisfy the setback requirement at the time of application. This setback provision does not apply to future dwellings or severances – only the wind energy facility is required to comply with the setback at the time of application.</p>  | <p>There is an option to clarify the 550-metre setback requirement, which applies only to the wind energy facility and existing noise receptors at the time of application for a wind energy facility, in the OP.</p> <p>Furthermore, the Town may consider policies to restrict future severances for uses that may be considered sensitive to ensure appropriate compatibility with existing wind energy facilities (i.e., S. 6.2.3 Agricultural Lot creation policies).</p> | <p>Generally, it would not be beneficial to outline requirements for renewable energy projects in the Official Plan, as they may be subject to change and are regulated directly by the Province. As the setback does not impact consents for existing dwellings or other uses, no change is recommended.</p>  |

## 3.0 Next Steps

This Issues and Policy Directions Report is intended to identify key issues and Official Plan policies which require review and update based on the new planning frameworks in place and issues identified in consultation with the Town, stakeholders and the public.

The next steps in the Official Plan Review process will include consultation on the Draft Issues and Policy Directions Report, which provides the basis for discussion with the public and stakeholders. At this time, the findings of the supporting studies will also be available for consultation and input. Based upon the input received, the consulting team and staff will work to prepare a Draft Official Plan Amendment to implement the recommended policy directions. The Draft Official Plan Amendment will be presented at a subsequent Public Open House and to Council for review and comment. The final phase of the Official Plan Review will include revisions to the Draft Official Plan Amendment, and consultation with the public at a Statutory Public Open House and a Statutory Public Meeting, prior to bringing forward a Final Draft Official Plan Amendment for Council's consideration for adoption.