



MUNICIPALITY OF LAMBTON SHORES OFFICIAL PLAN

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TABLE OF CONTENTS

1. INTRODUCTION

- 1.1 Municipality of Lambton Shores
- 1.2 The Community Descriptions
- 1.3 First Nations

2. PLANNING FRAMEWORK

- 2.1 Introduction
- 2.2 Goals and Objectives
- 2.3 Basis for the Plan – Growth Forecast and Management Principles
 - 2.3.1 Introduction
 - 2.3.2 Planning for Growth
- 2.4 Organization of the Plan
- 2.5 A Role for Process – Development Applications
- 2.6 Definitions

3. LAND USE POLICIES

3. NATURAL HERITAGE SYSTEM

- 3.1 Goals and Objectives
- 3.2 Overview of Major Components
- 3.3 Hazard and Lakeshore
 - 3.3.1 Hazard
 - 3.3.1.1 Permitted Uses
 - 3.3.1.2 Policies
 - 3.3.2 Lakeshore
 - 3.3.2.1 Policies
 - 3.3.2.2 Shoreline Protection
- 3.4 Natural Heritage Corridors and Natural Heritage Areas
 - 3.4.1 Natural Heritage Corridors
 - 3.4.2 Natural Heritage Areas
 - 3.4.2.1 Environmentally Significant Areas (ESA)
TABLE 1- Environmentally Significant Areas
 - 3.4.2.2 Wetlands
 - 3.4.2.3.1 Policies
 - 3.4.2.3 Significant Woodlands
 - 3.4.2.3.1 Tree and Woodland Protection
 - 3.4.2.3.2 Natural Environment Designation
 - 3.4.2.4 Wildlife
 - 3.4.2.5 Significant Habitat of Endangered and

- Threatened Species
- 3.4.2.6 Fisheries
 - 3.4.2.6.1 Lake Huron Fishery
 - 3.4.2.6.2 Watercourses and Drain Classifications
 - TABLE 2 – Select Attributes of Watersheds
 - 3.4.2.6.3 Fish, Mussel, Reptile Species at Risk
 - 3.4.2.6.4 Policies
- 3.5 Environmental Impact Studies
- 3.6 Stewardship Programs
 - 3.6.1 Living Along the Lakeshore
 - 3.6.2 Living Along the Old Ausable Channel
 - 3.6.3 Living with Woodlots, Wetlands and Watercourses
 - 3.6.4 Environmental Farm Plans
 - 3.6.5 Compensation Programs
- 3.7 Environmental Advocacy Groups and Corporate Sponsorship
- 3.8 County of Lambton Woodland Conservation By-law
- 3.9 Municipal Drain Maintenance and Rehabilitation
- 3.10 Surface Water and Groundwater
 - 3.10.1 Areas Susceptible To Groundwater Contamination
 - 3.10.2 Vulnerable Area
 - 3.10.3 Activities and Uses Requiring Review
 - 3.10.4 Prohibited Uses

4. AGRICULTURAL

- 4.1 Goals and Objectives
- 4.2 Permitted Uses
- 4.3 Policies
- 4.4 Environmental Farm Management
- 4.5 Agricultural Organizations
- 4.6 Woodlots
- 4.7 Thedford Bog
- 4.8 Other Land Uses in Agricultural Area
 - 4.8.1 Hamlets
 - 4.8.2 Residential Special Policy Area
 - 4.8.3 Natural Heritage System
 - 4.8.4 “Extractive” and “Former Waste Disposal Sites”
 - 4.8.5 Archaeological and Built Heritage Resources
 - 4.8.6 Lambton County Trail System
 - 4.8.7 Conserving the Agricultural Landscape
- 4.9 Minimum Distance Separation

5. RESIDENTIAL

- 5.1 Communities and Neighbourhoods
- 5.2 Residential
- 5.3 Permitted Uses and Densities
- 5.4 Land Use and Design Policies
 - 5.4.1 Affordable Housing
 - 5.4.2 Short Term Rentals (STRs)
 - 5.4.3 Residential Uses in Proximity to Stationary and Transportation Sources of Noise
- 5.5 Servicing Policies
- 5.6 Residential Special Policy Area
- 5.7 Area Specific Residential Policies
 - 5.7.1 Grand Bend Residential
 - 5.7.1.1 Permitted Uses
 - 5.7.1.2 Policies
 - 5.7.2 Port Franks, Northville, and Ipperwash Residential
 - 5.7.2.1 Policies.
 - 5.7.3 Grand Bend Highway 21 Gateway Residential
 - 5.7.3.1 Permitted Uses and Policies
 - 5.7.4 North Bosanquet Future Residential and North Bosanquet Residential – Special Policy Area A
 - 5.7.5 5478 Beach Street, Lake Valley Grove

6. COMMERCIAL

- 6.1 Downtown Commercial
 - 6.1.1 Permitted Uses
 - 6.1.2 Policies
 - 6.1.2.1 Downtown Commercial Parking
 - 6.1.3 Urban Design Guidelines for Downtowns
- 6.2 Commercial
 - 6.2.1 Permitted Uses
 - 6.2.2 Special Community Policies
 - 6.2.2.1 Forest
 - 6.2.2.2 Grand Bend
 - 6.2.2.3 Port Franks- Northville
 - 6.2.2.4 Ipperwash
 - 6.2.2.5 West Bosanquet
- 6.3 Grand Bend Mixed Uses
 - 6.3.1 Ontario Street South (OPA No. 2)
 - 6.3.2 Main Street East (OPA No. 2)
- 6.4 Highway Commercial
 - 6.4.1 Permitted Uses
 - 6.4.2 Policies

- 6.4.3 Urban Design Guidelines for Highway Commercial Areas
- 6.5 Mixed Commercial/Industrial
- 6.6 Commercial Special Policy Area

7. INDUSTRIAL

- 7.1 Introduction
- 7.2 Permitted Uses and Policies
- 7.3 Site Design Policies
- 7.4 Lands Designated as Employment Areas
- 7.5 Conversion of Employment Lands Within Employment Areas
- 7.6 Cannabis

8. PARKS, OPEN SPACE, TRAILS, RECREATION AND TOURISM

- 8.1 Objectives
- 8.2 Hierarchy and Permitted Uses
- 8.3 Parks, Open Space, Recreation and Tourism
 - 8.3.1 Policies
 - 8.3.2 Parks Planning in Planning Areas
 - 8.3.2.1 Forest
 - 8.3.2.2 Grand Bend
 - 8.3.2.3 North Bosanquet
 - 8.3.2.4 Port Franks – Northville
 - 8.3.2.5 Arkona
 - 8.3.2.6 Thedford
 - 8.3.2.7 West Bosanquet
 - 8.3.3 Tourism
 - 8.3.4 Pinery Provincial Park
 - 8.3.5 The Beach

9. HARBOURS AND MARINAS

- 9.1 Introduction
- 9.2 Permitted Uses
- 9.3 Policies

10. CAMPGROUNDS AND TRAILER PARKS

- 10.1 Introduction
- 10.2 Permitted Uses
- 10.3 Policies

11. EXTRACTIVE

- 11.1 Introduction
- 11.2 Permitted Uses
- 11.3 Policies
- 11.4 Temporary Wayside Pits and Quarries and Portable Asphalt and Concrete Plants

12. USES PERMITTED IN ALL DESIGNATIONS

- 12.1 Infrastructure
- 12.2 Dare Care Centres

13. INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES POLICIES

- 13.1 Introduction
- 13.2 Transportation and Infrastructure Corridors
 - 13.2.1 Lambton Shores Road Hierarchy
 - 13.2.2 Provincial Highways
 - 13.2.2.1 Connecting Links
 - 13.2.2.2 MTO Permit Requirements
 - 13.2.2.3 MTO Bicycle Policy
 - 13.2.2.4 Proposed Access Connections onto a Provincial Highway
 - 13.2.2.5 Lot Design of Proposed Subdivisions on a Provincial Highway
 - 13.2.2.6 Outdoor Storage on Commercial/Industrial Properties on Provincial Highways
 - 13.2.2.7 Home Occupations, Industries and Businesses Located Adjacent to Provincial Highways
 - 13.2.2.8 Access from Lots of Record and Cottage and Recreational Areas
 - 13.2.2.9 Stormwater Management
 - 13.2.2.10 Recreational Trail Crossings
 - 13.2.2.11 Wayside Pits and Quarries and Portable Asphalt and Concrete Plants
 - 13.2.2.12 MTO Patrol Yards
 - 13.2.2.13 MTO-Owned Lands
 - 13.2.3 Arterial Roads
 - 13.2.4 Collector Road
 - 13.2.5 Local Roads
 - 13.2.6 Road Widening and Improvements
 - 13.2.7 Parking and Loading
 - 13.2.8 Pedestrian Facilities, Trails and Bike Paths
 - 13.2.9 Other Transportation Policies

- 13.2.10 Roads Needs Study
- 13.2.11 Heritage Roads
- 13.3 Water and Sanitary Sewage Servicing Policies
 - 13.3.1 Water Services
 - 13.3.2 Sanitary Sewage Services
- 13.4 Stormwater Management
 - 13.4.1 Introduction
 - 13.4.2 Objectives
 - 13.4.3 Policies
- 13.5 Solid Waste Management
- 13.6 Infrastructure Design Guidelines and Construction Standards
- 13.7 Railways

14. CULTURE

- 14.1 Archaeology
 - 14.1.1 Archaeological Resources
 - 14.1.2 Policies
- 14.2 Built Heritage Resources and Cultural Landscapes
 - 14.2.1 Resources
 - 14.2.2 Policies – Municipal Register
 - 14.2.3 Significant Built Heritage Resources
 - 14.2.4 Historic Village Area
 - 14.2.5 Additional Measures for Heritage Conservation

15. COMMUNITY DESIGN AND IMPROVEMENT

- 15.1 Sustainable Design Principles and Elements
 - 15.1.1 Introduction
 - 15.1.2 Sustainable Community Form
 - 15.1.3 Sustainable Land Use and Infrastructure Planning
(Table 4) – Summary of Policies of Sustainable Land Use and Infrastructure Policies
 - 15.1.4 Sustainable Site, Building and Design Elements
 - 15.1.5 Sustainability Plan
TABLE 5 – Sustainability Plan Components and Examples of Measures
- 15.2 Urban Design Principles and Guidelines
 - 15.2.1 Building Design
 - 15.2.2 Streetscapes and Landscaping
 - 15.2.3 Safety
 - 15.2.4 Commercial and Industrial Areas
 - 15.2.5 Site Design
 - 15.2.6 Parking

15.2.7	Access and Circulation
15.2.8	Design for New Neighbourhoods
15.3	Community Improvement
15.3.1	Community Improvement Project Areas and Plans
15.4	Community Design Plans
15.4.1	Forest
15.4.2	Grand Bend
15.4.3	Port Franks
15.4.4	Arkona
15.4.5	Thedford
15.4.6	Ipperwash
15.5	Lambton Shores a Barrier Free Municipality
15.5.1	Policies
16.	FORMER WASTE DISPOSAL SITES
17.	NATURAL RESOURCES
17.1	Water Conservation
17.2	Energy Conservation, Air Quality and Climate Change
17.3	Alternative and Renewable Energy Generation
17.4	Agricultural Woodlots
17.5	Aggregates and “EXTRACTIVE” Areas
17.6	Petroleum
17.7	Abandoned Oil, Gas and Water Wells
18.	ECONOMIC DEVELOPMENT
18.1	Economic Development Policies
18.2	Objectives
18.3	Policies for Encouraging Economic Growth
18.4	Supporting Sustainable Economic Growth
18.5	Supporting Entrepreneurs and Innovation
18.6	Growing the Agricultural Economy
19.	IMPLEMENTATION
19.1	Introduction
19.2	Interpretation of Official Plan
19.2.1	Schedules
19.2.2	Text
19.2.3	Definitions
19.3	Official Plan
19.4	Pre-Consultation and Complete Development Applications
	TABLE 6 – Required Reports /Studies
19.5	Zoning

TABLE 7 - Zoning and Development Control By-laws

- 19.6 Non-Conforming Uses
- 19.7 Plans of Subdivision/Condominium
- 19.8 Committee of Adjustment
 - 19.8.1 Consents for Land Severance
 - 19.8.1.1 Other Powers of the Committee of Adjustment Respecting
Parcels
 - 19.8.2 Other Powers of the Committee of Adjustment
 - 19.8.2.1 Minor Variance Applications
 - 19.8.2.2 Permission Regarding Legal Non-Conforming Use
 - 19.8.2.3 Permission Regarding Use
- 19.9 Site Plan Control
- 19.10 Other Development Control Tools and By-laws
- 19.11 Public and Agency Participation
- 19.12 Future Studies/Actions
- 19.13 Delegation of Authority
- 19.14 Land Acquisition
- 19.15 Guidelines
- 19.16 Monitoring of the Official Plan
- 19.17 Facilitation of Development Approvals

LIST OF SCHEDULES

- | | |
|-------------|--|
| Schedule A | Agricultural Bosanquet Planning Area, Land Use and Natural
Heritage and Hazard Plan |
| Schedule A1 | Grand Bend Planning Area Land Use and Natural Heritage and
Hazard Plan |
| Schedule A2 | North Bosanquet Planning Area, Land Use and Natural Heritage
and Hazard Plan |
| Schedule A3 | Port Franks-Northville Planning Area, Land Use and Natural
Heritage and Hazard Plan |
| Schedule A4 | Ipperwash Planning Area, Land Use and Natural Heritage and
Hazard Plan |
| Schedule A5 | West Bosanquet Planning Area, Land Use and Natural Heritage
and Hazard Plan |
| Schedule A6 | Forest Planning Area, Land Use and Natural Heritage and Hazard
Plan |
| Schedule A7 | Thedford Planning Area, Land Use and Natural Heritage and
Hazard Plan |
| Schedule A8 | Arkona Planning Area, Land Use and Natural Heritage and Hazard
Plan |
| Schedule B | Source Protection Plan – Entire Municipality |
| Schedule C | Source Protection Plan – Grand Bend |
| Schedule D | Archaeological and Built Heritage Resources |

LIST OF APPENDICES

Appendix 1	Mineral Aggregate Resources
Appendix A	Built Heritage and Cultural Landscape Resources
Appendix B	Federal and Provincial Legislation



INTRODUCTION



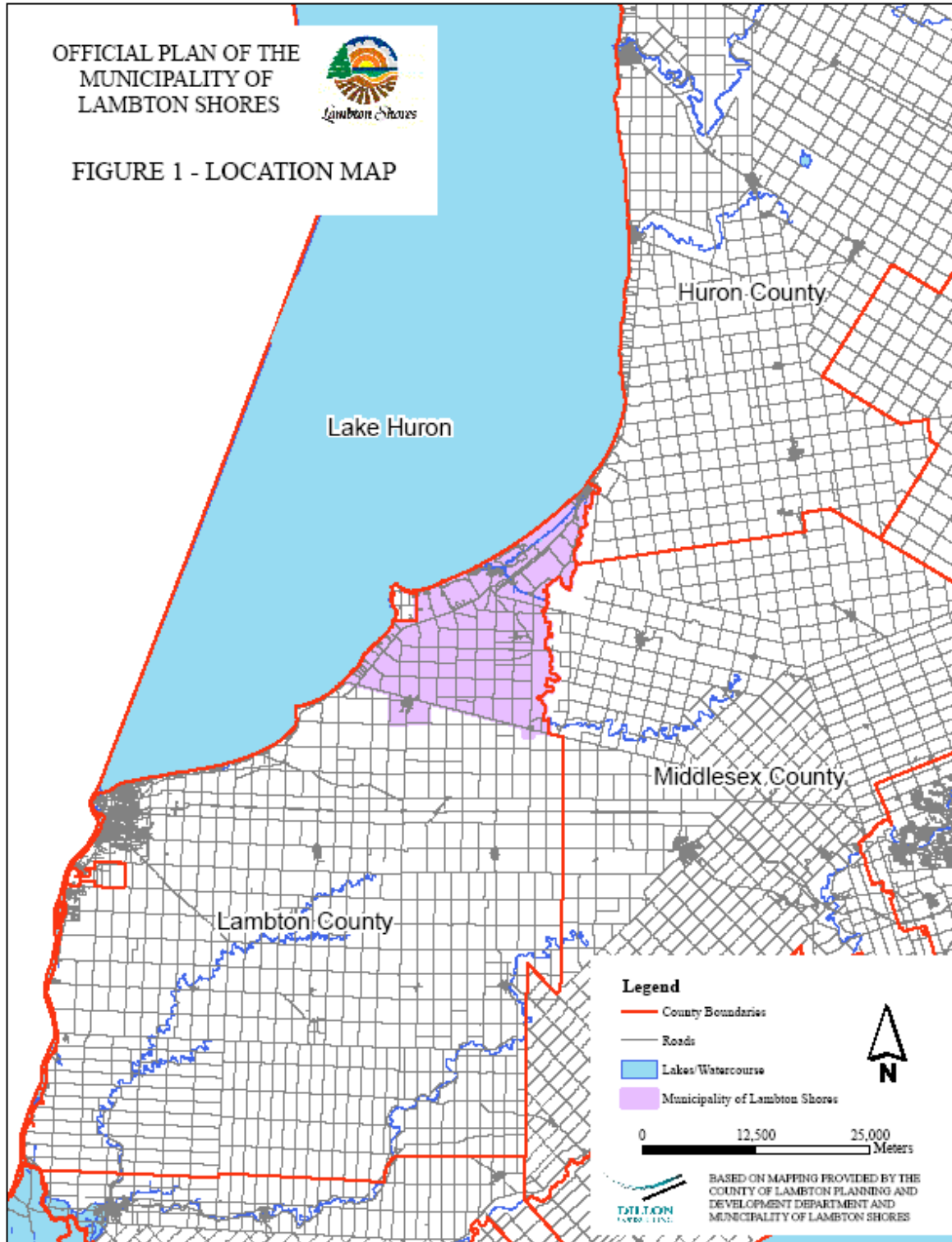
1. INTRODUCTION

1.1 Municipality of Lambton Shores

With its picturesque lakefront and agricultural setting, Lambton Shores is one of Ontario's most popular summer destinations and, more recently, a popular place to retire. Classified as a "city" under the Ontario *Municipal Act*, the Municipality was formed in 2001 by the amalgamation of five municipalities, including the Town of Forest, the Villages of Grand Bend, Thedford and Arkona and the Town (formerly Township) of Bosanquet. Lambton Shores comprises an area of 331 square kilometres and had a population of 11,876 people in 2021. Lambton Shores is located on Lake Huron at the northern end of the County of Lambton as shown on Figure 1. It is bordered by the Municipalities of Plympton-Wyoming and Warwick in Lambton County, North Middlesex in Middlesex County and South Huron in Huron County. Responsibility for natural areas, rivers and streams in Lambton Shores falls under the jurisdiction of the Ausable Bayfield Conservation Authority and the St. Clair Region Conservation Authority.

Major physiographic features include the Wyoming Moraine, Thedford Bog, many watercourses and Lake Huron's beaches, sand dunes and bluffs. Lambton Shores' landscape, environment and wealth of resources have attracted a steady flow of people over the millennia. First Nations people have inhabited the area since circa 9,300 B.C., when the Late Wisconsin ice sheet receded. Early European settlements include Arkona, one of the first places settled in Lambton County in the 1820's, and Grand Bend (originally known as Aux Croches), the first settlement on Lake Huron in Lambton County.

Lambton Shores includes a diverse range of settlement areas and farmlands, as well as many unique natural features attracting visitors from all over Ontario, Canada and the world. Examples include the oak savannah and dune succession ecosystem along the lakeshore and fossil beds at Arkona, which are both globally significant. Nationally significant features include the Carolinian Forest, also along the lakeshore. The Karner Blue Butterfly Sanctuary in Port Franks, the only viable ecosystem in Ontario to sustain the butterfly, and the Thedford Bog, a specialty crop area suitable for vegetable production, are among the many Provincially Significant features in Lambton Shores.



1.2 THE COMMUNITY DESCRIPTIONS

Although Lambton Shores' was formed in 2001 with the amalgamation of five municipalities, all communities still have a distinct identity. The following sections describe the communities' past and present and outline future land use planning directions for each community. The nine community divisions identified in this section relate to the Planning Communities both historic and as established in Schedules A and A1 to A8 in this Official Plan for planning purposes.

1.2.1 Forest

The Town of Forest is a dynamic rural community of approximately 3000 residents and serves a major institutional and commercial centre for the surrounding area. Established in the mid 1800's, the community has remained a healthy rural centre. Development has occurred in a typical small town grid pattern and is fairly compact in size which is to its advantage in preserving a "pedestrian scale" to the town. The town has a diverse and thriving economy largely driven by its core area business sector plus a growing commercial sector along the Highway 21 corridor, along with a small but strong manufacturing sector.

The town's historic past is preserved with century old homes and core area businesses, churches and its agricultural fairgrounds, but has embraced the future with newer homes, businesses and institutional buildings. The community has built strong "community spirit" which expresses itself with active service clubs, a Canadian Legion, church organizations and other local groups including the 100 year old Forest Volunteer Fire Department and the Kineto Theatre, the only theatre in Lambton Shores. The Town serves as the education centre for the surrounding area, with its High School and two elementary schools (both public and Catholic). Other large institutional uses include the North Lambton Lodge Retirement Home, and the North Lambton Community Health Centre.



The Community has weathered the changing economic times of the past century and remains strong and viable.

The area has seen many capital upgrades completed to its roads, water mains and sanitary sewer infrastructure and its recreation infrastructure with the new Shores

Recreation Centre and a fledging start on a new pedestrian trail system. The community is well positioned with these infrastructure improvements to meet its future needs and is one of the serviced communities in Lambton Shores where large scale growth and intensification are permitted. The town has made a concerted effort in the past decade to recapture its lost tree cover, which was once the motivation behind its name, these efforts are focused on its core area but will expand throughout the community as time unfolds.

The community is anticipating a continuation of the slow and gradual growth of its past and is looking towards maintaining and enhancing the quality of life of the community.

1.2.2 Grand Bend

The Village of Grand Bend is one of Lambton Shores' most dynamic communities, with a significant role as a provincial Tourist Destination. Grand Bend is blessed with its location on the shores of Lake Huron, north of the Pinery Provincial Park and on the Ausable River. Once a town that exploded with visitors in the summer months and became essentially dormant over the fall and winter months, the village is in the midst of an evolution to a more stable full time residential community. The Main Street of Grand Bend commonly referred to as “The Strip” highlighting businesses that generally cater to the summer season tourist, while those along the



Highway 21 corridor and Main Street E. are more aligned with serving both tourists and the local residents. Attractions such as the Grand Bend Motorplex and The Huron County Playhouse, although not located within Grand Bend add to the tourist destination experience.

The community is a centre for other community and commercial activities, with institutional services such as the Grand Bend

Area Community Health Centre, numerous churches and the Grand Bend Public

School, which includes a community gymnasium and meeting room and its numerous churches. Lambton Shores has made a significant investment in the community since amalgamation including the upgrading of the community's water supply, a major investment in the Main Beach and Main St. and is currently in the process of upgrading and expanding the community's wastewater and treatment system. The community is well positioned with these infrastructure improvements to meet its future needs and is one of the serviced communities in Lambton Shores where large scale growth and intensification are permitted.

Serviced by a volunteer fire department and blessed with its locational advantages the community is currently evolving to find balance between its seasonal economic role, its growth potential and its role as a residential community.

1.2.3 Thedford

The Village of Thedford is a quaint community that serves as the commercial and institutional centre for the surrounding farm area. Established in the mid 1800's Thedford has faced the same economic challenges as its neighbour Forest to the west. Once a centre for the lumber industry, its small commercial core serves as a service centre for the surrounding area. Commerce is focused largely along its Main Street which has adapted to economic downturns and challenges by developing a thriving "antique-flea market" economy. Recent investment in the core area and the renovation of its recreation



centre are intended to stabilize and strengthen the local economy. The villages numerous churches, its retirement home and the Execulink Telecommunications operations centre as well as the recently renovated Legacy Recreation Centre are its core features. The Village has seen a resurgence in

community pride with the recently established Thedford Spirit Committee and Thedford Garden Club. These along with its long established Volunteer Fire Department speak to the deep level of community pride.

Like Forest, Thedford is a compact, "walkable" community, that has quiet residential streets, proximity to an 18 hole golf course on its southern limit and the recently completed new parkette in the centre of town that will serve as a catalyst for ongoing reinvestment

in the core area. The community is well served by municipal sewage and water services and its new ambulance depot. The new Legacy Centre serves as one stop location for recreation, day care and library services for the community as well as a first class community hall. This new building is the Municipality's first LEED qualified structure and is symbolic of the burgeoning new spirit of the community. The community is well positioned with municipal infrastructure to meet its future needs and is one of the serviced communities in Lambton Shores where large scale growth and intensification are permitted.

Growth pressures in Thedford are likely to remain low but its low real estate values and access to new amenities such as the new Legacy Centre are serving as an attraction to younger families.

1.2.4 Arkona



The Village of Arkona is a community that has only recently recognized its unique strengths. It has a long history, beginning in the early part of the 19th century. It has evolved into an idyllic small urban community, with its tree lined streets, quaint churches and lovely residential neighbourhoods which make it a strong and viable community. Remarkably Arkona has some of the best medical services of any community in Lambton Shores, with its own medical centre providing doctor and dental services, a first class optometrist and chiropodist services. The community is home to its own volunteer fire department and has a good variety of recreational facilities including the "Utter Ball Diamond" and the newly established Taxandria Soccer Complex south of the Village and a new community splash pad.

One of the challenges the village faces is that it is divided by two major County Roads that intersect in the very centre of the village. This intersection provides excellent connectivity to other areas but does impact the natural movement of residents within the village.

Lambton Shores has made several strategic investments in the community over the past 10 years, replacing its former well water system with a link to the new Lambton Shores (Lake Huron) water supply and upgrades to the local community centre complex. The village has an excellent wastewater treatment facility capable of meeting the existing and

long term growth needs. Growth in Arkona is expected to remain slow and steady as in the past with much of the development taking place in the form of residential renovation and infilling. The community is well positioned with municipal infrastructure to meet its future needs and is one of the serviced communities in Lambton Shores where large scale growth and intensification are permitted.

1.2.5 North Bosanquet

North Bosanquet” is a mixed use area developed along the Highway #21 corridor between The Ausable River Cut and Grand Bend. It forms part of Lambton Shores' major tourist area and is home to a number of seasonal campgrounds. The area is part of a nationally significant Carolinian Forest which is comprised of oak savannah and dune succession ecosystem running from Grand Bend to Kettle Point. It is home to many rare and endangered species. For these reasons, future development on the west side of the Highway 21 is not encouraged and if approved would be closely monitored.



The Planning Area is centred on the Pinery Provincial Park, established in 1957. In addition to being one of the most popular Provincial Parks in Ontario, it is also an Environmentally Sensitive Area (ESA). Part of a “Primary Natural Heritage Corridor”, the Planning Area is outside growth areas designated by the Lambton County Official Plan. The entire Planning Area is susceptible to groundwater contamination.

Existing uses in North Bosanquet include a combination of residential and tourist related open space, recreational and commercial uses. In addition to the Pinery, existing uses include several newer and older subdivisions, Lambton County Heritage Museum, two large campgrounds and trailer parks and highway and tourist related commercial uses. All existing uses are serviced by Municipal water and private septic systems.

Over the long-term, the North Bosanquet Gateway will continue to fulfill two important roles:

- a buffer area for Pinery Park and the Thedford Bog; and



- a treed, sand dune “gateway” into Grand Bend to “showcase” the area’s best environmental features. This iconic showcase is an essential element in the development of Lambton Shores as a hub for eco-tourism.

Development in the North Bosanquet Area is generally restricted to minor infilling on existing lots and very limited new lot creation.

New subdivision development

(large scale) within the North Bosanquet Future Residential designations shall be subject to appropriate phasing and servicing as required in Section 5.7.4.

Access to most of the existing uses in the Planning Area is provided by Provincial Highway 21. MTO approval is required for any new public roads, access points or development proposals along the highway.



1.2.6 Port Franks-Northville Lakeshore Community

The Port Franks/Northville Lakeshore Community is composed of a population of approximately 450 permanent and seasonal residents. Located on the shore of Lake Huron this unique area is nestled amongst some of the most sensitive environmental areas in the municipality including the shoreline itself, the Ausable River Cut, Chicken Island, “L” Lake, the Mud Creek natural area and numerous dune forest and wetland areas. The community prides itself on its relative privacy, its active service club, community centre and sportspark and its harmonious development within this environmentally sensitive area, including hiking in this protected forest ecosystem.

The community is in a gradual state of change from a seasonal community to more permanent full time community. The area is serviced by the municipal water supply but wastewater is still treated by private septic systems. The community is relatively confined within an area bounded by Lake Huron, the Pinery Provincial Park, the Ausable River Cut and the former Ipperwash Army Camp. There is little to no room to expand and grow. Development is restricted to minor infilling on existing lots and very limited new lot creation

over the Official Plan's planning horizon. New large scale development is discouraged over the Planning horizon due to the lack of municipal sanitary sewers. However Council will consider the use of private communal sewage services. The area holds great promise as a potential eco-tourism site.

1.2.7 Ipperwash Lakeshore Community

The Ipperwash Lakeshore Community is also located on the shores of Lake Huron in an area bounded by the Kettle & Stony Point First Nation Reserve on the west, the former Ipperwash Provincial Park and Ipperwash Army Camp on the east and Highway #21 on the south. The community is for the most part developed in close proximity of the lake shore and is known for its pristine and family friendly beaches. The community consists of about 300 homes with the majority of those being seasonal. The area has a number of environmentally sensitive areas, natural dune structures and holds great potential as an "eco-tourism" destination.

The development pattern in this area is, as has been stated, located in close proximity to the beach itself. Residential development was historically seasonal cottage based along with a number of "Trailer Park/Campground" communities. The area is serviced by municipal water supply but wastewater treatment is carried out by conventional private septic systems. Development is restricted to minor infilling on existing lots and very limited new lot creation over the Official Plan's planning horizon. New large scale development is discouraged over the Planning horizon due to the lack of municipal sanitary sewers. However Council will consider the use of private communal sewage services.

1.2.8 West Bosanquet Lakeshore

The West Bosanquet Lakeshore Community is located on the shore of Lake Huron south of the Kettle & Stony Point First Nation and the north of the Township of Plympton-Wyoming. The area is also defined as being west of Lakeshore Road, which runs along the eastern edge of the community. The area is composed of a number of small clustered residential communities including Lake View Haven, Cedar Cove and Lake Valley Grove all generally located on or below the Lake Huron bluff. These small urban clusters were originally developed as seasonal cottage sites but evolved during the 1960's and 70's to become more permanent home sites.

Development in this area, which originally did not fall within any Conservation Authority, is now subject to the St. Clair Region Conservation Authority jurisdiction. The area has significant environmental sensitivity with some areas of global and national significance. There has been some pressure to develop the area in recent years and the municipality has two developments currently under consideration – “Reflection Shores” a 60 unit land condominium development and “Huron Shores” a 35 unit extension of the Lake Valley Grove development.

The area is serviced by municipal water supply but homes and cottages remain serviced by private septic system. The Municipality is currently considering various means of servicing the area and prefers that Municipal sewage services be provided. However Council will consider the use of private communal sewage services. Without municipal or private communal sewage systems development is restricted to minor infilling on existing lots and very limited new lot creation.

1.2.9 Agricultural Bosanquet

Lambton Shores’ Agricultural Area covers most of the Municipality’s land area and is an important economic activity in Lambton Shores. The Municipality includes approximately 234 farms on 28,568 hectares, with almost 25,500 hectares (90%) in crop production. A high proportion of Lambton Shores’ agricultural area consists of Soil Classes 1 and 2, as classified by the Canada Land Inventory of Soil Capability for Agriculture. The most predominant agricultural activity is the production of cash crops, followed by livestock and poultry production.

The Thedford Bog forms part of the agricultural area and is a Provincially Significant specialty crop area that has played an important role in the history and development of the Municipality. Other specialty crop lands include old glacial lake shorelines and sand deposits throughout the Municipality capable of supporting orchard crops. Examples include lands used for apple production near Arkona and a small area in West Bosanquet suitable for tender fruit production.

1.3 FIRST NATIONS

The Municipality of Lambton Shores is geographically located within the treaty and traditional territory associated with the Indigenous communities of Aamjiwnaang (Sarnia),

Chippewas of Kettle and Stony Point, Chippewas of Nawash, and Chippewas of the Thames First Nation.

The Chippewas of Kettle and Stony Point is surrounded by the Municipality and includes the former Ipperwash Provincial Park and former Army Camp. It is however not part of the Municipality, is independent, and is not subject to the policies of this Plan.

The Municipality and Kettle and Stony Point have a unique relationship because of their geographic relation to each other and many interconnections and inter-reliance in matters not limited to roads, infrastructure, community facilities and programs, transit, socially, shorelines, and natural heritage features and functions. The Municipality seeks to maintain a good relationship with Kettle and Stony Point and will consult with Kettle and Stony Point respecting matters that may affect this community. The Municipality will seek to cooperate with Kettle and Stony Point and form partnerships on projects and matters of mutual interest or concern. This could include, but is not limited to infrastructure, tree planting initiatives, sourcewater protection, waterfronts, and alternative and renewable energy.



PLANNING FRAMEWORK

2. PLANNING FRAMEWORK

2.1 Introduction

The New Lambton Shores Official Plan was developed to be a living document. It not only reflects the values and quality of life held as important to the community, but will help to respond to and guide the continued growth and evolution of the community.

The Lambton Shores Official Plan applies to all lands within the Municipality of Lambton Shores. Lands outside the Municipality's jurisdiction, but within its municipal boundaries, include Kettle and Stony Point First Nation Reserve, former Ipperwash Provincial Park and former Camp Ipperwash.

As a long-term land use planning strategy, the Official Plan includes goals, objectives and policies to guide growth and development in Lambton Shores over the next 25 years to 2046. Reflecting sustainable community planning and design principles, the Official Plan's policies also consider the effects of development on Lambton Shores' cultural resources, social, economic and natural environments and the quality of life for its residents.



The Official Plan is only one of several key documents that will influence and direct future growth and development. The policies of the Official Plan are intended to support the core values and goals of the community and it is based on a framework of Federal and Provincial legislation, established Provincial and County of Lambton planning policies and the Lambton Shores Strategic Plan, all of which pertain to land use planning and development. Where relevant, the Plan makes reference to those documents and legislation.

A Official Plan provides Lambton Shores with an opportunity to affirm its commitment to the following Key Principles:

- To Protect the Natural Environment
- To Protect Agricultural Lands
- Provide for Development which is an Extension of Existing Urban Areas where municipal water and sanitary sewers are provided.

The Official Plan includes policies for:

- Protecting the Municipality's cultural and natural heritage, water, agriculture and mineral resources;
- Urban land uses and the phasing of development;
- Development control tools, such as zoning and site plan/subdivision control, including policies for sustainable development;
- Infrastructure and public service facilities, such as roads, water supply, sewage disposal, waste management and energy; and
- Public spaces, parks and open space, including the Lake Huron shoreline.

The Official Plan is a policy document implemented through Council's adoption of regulatory by-laws and the provision of municipal services. As required by the *Planning Act*:

- the Official Plan is consistent with the Provincial Policy Statement (PPS 2020);
- the Plan conforms to the County of Lambton Official Plan, and;
- the Municipality will not undertake any public work or pass any by-law that does not conform with the Official Plan, without adopting an amendment to the Plan.

The Lambton Shores Official Plan also applies to all Government of Ontario ministries, secretariats, boards, commissions and agencies and Ontario Hydro. As required by the *Planning Act*, before carrying out or authorizing any undertaking that will directly affect the Municipality, these bodies shall consult with, and have regard for, the Official Plan.

2.2 Goals and Objectives

- To focus growth to existing settlement areas, where services are available, away from significant or sensitive resources. Intensification and redevelopment are encouraged over "green fields" development. Any new development will be contiguous to existing built-up areas creating a balance in Lambton Shores.
- To foster strong, liveable and healthy communities which enhance social well-being and are economically and environmentally sound. Long-term prosperity, environmental health and social well-being will take precedence over short-term considerations and narrow interests.

- To create efficient development patterns that optimize the use of land, resources and public investment in infrastructure, the Official Plan:
 - promotes compact urban form, a cornerstone of sustainable development. The Plan is based on a minimum target gross residential density of 17 units per hectare.
 - promotes a mix of housing, employment, parks and open spaces;
 - provides transportation choices that facilitate alternate modes of travel;
 - minimizes the undesirable effects of development, including impacts on air, water and other resources.
- To protect and wisely use and manage Lambton Shores' agricultural, natural and cultural heritage resources, for the long term. These resources will be used and managed in order to protect essential ecological processes and public health and safety and minimize environmental and social impacts. Development will be directed away from areas of natural and human-made hazards.
- To promote compatibility among land uses, in terms of scale, intensity of use and potential impacts.
- To promote attractive and functional site and building design sensitive to the scale and character of surrounding land uses and cultural and heritage resources. Sustainable design measures are required.
- To ensure that new development has no adverse impacts on municipal finances. Growth related costs will be financed from revenues generated by new growth.
- To sustain and increase tree cover by protecting woodlots, encouraging reforestation and naturalizing urban areas.

2.3 Basis for the Plan- Growth Forecast and Management Principles

2.3.1 Introduction

Land requirements projections were prepared to the year 2046 for the Official Plan. The projections were used to ensure that Lambton Shores accommodates a range and mix of employment opportunities, housing and other land uses to meet projected needs for a

time horizon of up to 25 years. Sufficient land will be made available through intensification and redevelopment and, if necessary, designated growth areas.

2.3.2 Planning For Growth

The Municipality of Lambton Shores is planning for growth on the following basis as identified in the County of Lambton Official Plan:

To 2031:

Projected Population: 9,307 to 11,595

Projected Annual Dwelling Units: 50

The projected population and projected annual dwelling units are targets and are not considered maximum figures or caps.

From 2031 to 2046, growth shall be addressed as follows:

- i. A land supply for growth in excess of 25 years was determined to be available for the Municipality as part of the preparation of the County of Lambton Official Plan approved in 2018;
- ii. The County of Lambton will prepare an updated projection of population growth and housing growth prior to 2031 as part of a planned update to the County Official Plan;
- iii. The Municipality of Lambton Shores Official Plan will be updated to include projected population and dwelling units upon the conclusion of the update by the County of Lambton.

2.4 Organization of the Plan

This Plan is organized into multiple sections, as follows:

Parts 1 and 2: The introduction details the purpose, effect, and planning framework underlying the Plan.

Parts 3 to 11: These parts contain sections that describe the land use designations that apply across the Municipality. Together with the land use maps, these designations will help implement the strategy for managing change set out in Parts 1 and 2.

Part 13: This part includes policies for Municipal systems: transportation, public utilities, municipal services, and energy systems.

Parts 14 and 15: These parts contain policies to guide decision making based on the Municipality's goals for the human, built, economic and natural environments.

Part 16: This part addresses former waste disposal sites.

Part 17: This part addresses natural resources.

Part 18: This part addresses economic development.

Part 19: This part explains how the Municipality will implement the Official Plan using development approval processes and planning tools.

Schedules, Maps and Appendices: Schedules, Maps and Appendices are found at the end of the Plan. The Schedules, which form part of this Plan, provide an illustration of the overall growth strategy and natural heritage system for the Municipality and the settlement areas including Arkona, Forest, Grand Bend, Ipperwash, Northville, Port Franks, Thedford, and smaller communities in the West Bosanquet area. The maps and appendices provide additional mapping of features the geography of which is relevant to the Plan but maintained by others external to the Municipality.

2.5 A Role for Process – Development Applications

The role of the Official Plan is to provide general guidance for development that applies on a Municipality wide basis related to land use including designations and permissions. The policies of this Plan also provide guidance to inform development application processes and area-specific planning processes. The specific role for development applications like Official Plan Amendments, Zoning By-law Amendments and minor variance applications acknowledge that Municipality wide policy cannot anticipate every circumstance related to a site or a development. The Official Plan has policies to ensure that development applications are considered against the policies of this Plan to ensure the outcome of a development application addresses the public interest.

2.6 Definitions

Except as noted, the following definitions apply throughout the Official Plan.

Adjacent Lands: means those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives.

Agricultural Uses: means the Growing of crops, including nursery, biomass and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodations for full-time farm labour when the size and nature of the operation requires additional employment.

Agricultural-Tourism Uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

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

Alternative Land Use Services: means a program which farmers are compensated for putting their lands into natural environmental use that produce benefits such as clean air, water and wildlife habitat.

Archaeological Resources: includes artifacts, archeological sites and marine archeological sites as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based on upon archeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of Archeological Potential: means areas with the likelihood to contain archeological resources. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objective may also be used. The *Ontario Heritage Act* requires archeological potential to be confirmed through archaeological fieldwork.

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

Brownfield Sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built Heritage Resources: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an aboriginal community. Built Heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act* or included in local, provincial and/or federal registers.

Coastal Wetland: means:

- a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers): or
- b) any other wetland that is on a tributary to any of the above-specified water bodies and lies either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year flood line (plus wave run-up) of the large water body to which the tributary is connected.

Cultural Heritage Landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an aboriginal community. The area may involve features such as structures, spaces archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Designated Vulnerable Area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, such as an Official Plan and/or Zoning By-law amendment, Plan of Subdivision/Condominium approval, Site Plan approval and minor variance. Development does not include:

- a) activities to create or maintain “infrastructure” authorized under an environmental assessment process; and
- b) works subject to the *Drainage Act*.

Dynamic Beach Hazard: means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes – St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

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

Endangered Species: means a species that is listed or categorized as an “Endangered Species” on the Ministry of Natural Resources and Forestry official species at risk list, as updated and amended from time to time.

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

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

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

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

- a) along the shoreline of the Great Lakes- St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) along river stream and small inland lake systems, the flooding hazard limit is the greater of:
 - 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961) transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - 2. the one hundred year flood; and
 - 3. a flood which is greater than 1. or 2, which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

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

Floodproofing Standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes-St Lawrence River System and large inland lakes and flooding hazards along river, stream and small inland lakes.

Floodway: for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous floodplain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and /or that area where flood depths and/or velocities are considered to be such that they pose

a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called flood fringe.

Habitat of Endangered Species and Threatened Species: means

- a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the *Endangered Species Act 2007* is in force, the area prescribed by that regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural resources; and

places in the areas described in clause (a) and (b) whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

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

Heritage Conservation District: means areas of a municipality designated under Section 41 in Part 5 of the *Ontario Heritage Act* which has a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings.

Individual On-site Sewage Services: means sewage systems, as defined in O. Reg.332/12 under the *Building Code Act*, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-site Water Services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

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

Legal and Technical Reasons: means severances for purposes such as easements, corrections of deeds, quit claim, and minor boundary adjustments, which do not result in the creation of a new lot.

Minimum Distance Separation Formulae (MDS): means formulae and guidelines developed by the Province, as amended from time to time to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Municipal Sewage Service: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal Water Service: means a municipal drinking water system within the meaning of section 2 of the *Safe Drinking Water Act*, 2002.

Natural Heritage Features and Areas: means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E as defined in the Provincial Policy Statement (PPS 2020), fish habitat, significant woodlands and significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Mary's River), habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of the area.

Natural Heritage System: means a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support to natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems.

These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used.

Negative Impacts: means

- a) in regard to policy 1.6.6.4 and 1.6.6.5 of the PPS (individual on-site sewage and water services) degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative Impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2 (Water) of the PPS, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions”, due to single, multiple or successive development or site alterations activities;
- c) in regard to fish habitat, any permanent alteration to, or destruction of fish habitat except where, in conjunction with the appropriate authorities , it has been authorized under the Fisheries Act; and
- d) in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological function for which an area is identified due to single, multiple or successive development or site alteration activities.

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

On-Farm Diversification Uses: means uses that are secondary to the principle agricultural use of the property, and are limited in area. On-farm diversified uses include,

but are not limited to, home occupations, home industries, agri-tourism uses and uses that produce value added agricultural products.

Partial Services: means

- a) municipal sewage services or private communal sewage services and individual on-site water services; or
- b) municipal water services or private communal water services and individual on-site sewage services.

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

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

Prime Agricultural Land: means Specialty crop areas and/or Canada Land Inventory Class 1, 2 and 3 lands, as amended from time to time, in this order of priority of protection.

Private Communal Sewage Services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private Communal Water Service: means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act* 2002 that serves six or more lots or private residences.

Provincial Policy Statement (PPS 2020): the Province of Ontario's policy direction on matters of provincial interest related to lands use planning and development in Ontario which is issued under the authority of the Section 3 of the *Planning Act*.

Public Service Facilities: means land, buildings and structures used for the provision of programs and services provided or subsidized by a government or other public body, such as social assistance, recreation, police and fire protection, health and educational programs and cultural services.

Qualified Professional: means a person carrying out studies or evaluations as recommended or required by the Natural Heritage Reference Manual who meets any specific requirements (e.g., wetland evaluation training) to carry out the study or evaluation and where appropriate meets professional standards in their particular field and is accredited by a professional association.

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

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

Reserve Water System Capacity: means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

Residence Surplus to a Farming Operation: means an existing habitable farm residence that is rendered surplus as a result of a farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Residential Intensification: means intensification of a property, site or area which results in a new increase in residential units or accommodations and includes:

- a) redevelopment, including the redevelopment of brownfield sites;
- b) the development of vacant or underutilized lots within previously developed areas;
- c) infill development;

- d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential uses; and
- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, second units and rooming houses

Rural Areas: means a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

Rural Lands: means lands which are located outside of settlement areas and which are outside prime agricultural areas.

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

- a) built up areas where development is concentrated and which have a mix of lands uses; and
- b) lands which have been designated in an official Plan for development over the long-term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement (PPS 2020). In cases where land is designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

Sewage and Water Services: includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services and partial services.

Shoreline Protection: Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.

Significant: means

- a) in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;

- b) in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry
- c) in regard to other features and areas in policy 2.1 of the Provincial Policy Statement (PPS 2020), ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;
- d) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Site Alteration: means grading, excavation and the placement of fill that changes the landform and natural characteristics of the site.

Special Policy Area: means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministries of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a smaller scale) and address the significant social and economic hardships to the community that would result from the strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province.

A special policy area is not intended to allow for new or intensified development and site alteration, if a community has feasible opportunities for development outside the flood plain.

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

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and

- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Threatened Species: means a species that is listed or categorized as “Threatened Species” on the Ontario Ministry of Natural Resources and Forestry official Species at Risk list, as updated and amended from time to time.

Two Zone Concept: means an approach to flood plain management where the flood plain is differentiated in two parts: the floodway and the flood fringe.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

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

Wildlife Habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

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



LAND USE POLICIES



3. NATURAL HERITAGE SYSTEM AND NATURAL HAZARD AREAS ¹

3.1 Goals and Objectives

Consistent with Provincial policies, and in conformity with the County of Lambton Official Plan, a key goal of the Official Plan is the preservation, protection and enhancement of Lambton Shores many amazing natural heritage areas. Significant development pressures along the lakeshore, potentially threaten Lambton Shores many unique features.

The Lambton Shores Natural Heritage System is a combination of significant natural areas, their functions, and the corridors that connect them.

The system includes:

Group A features

- provincially significant wetlands
- provincially significant coastal wetlands
- locally significant wetlands
- locally significant coastal wetlands
- habitat of endangered species and threatened species
- fish habitat

Group B features

- lands adjacent to Group A features and adjacent to certain Group B features as noted in these policies
- significant woodlands
- significant valleylands
- significant wildlife habitat
- provincially significant areas of natural and scientific interest (ANSIs)
- regionally significant ANSIs

Group C features

¹ Many of the terms used in this section of the Official Plan are defined in the 2020 Provincial Policy Statement (PPS). Unless otherwise noted, the definitions included in the PPS apply.

- lands adjacent to other Group B features
- primary corridors, including core areas as identified in the County Official Plan
- linkage features
- highly vulnerable aquifers
- significant groundwater recharge areas
- other surface water features
- woodlots other than significant woodlands
- other significant natural areas, including shrublands, meadows and prairies

These features can overlap and the habitat of endangered species and threatened species, fish habitat, and wildlife habitat are functions associated with the habitat features of wetlands, woodlands, ANSIs, valleylands, and watershed systems.

When considering new land use planning applications, the following constraints apply:

- For Group A features, no development or site alteration is permitted, except that in the case of fish habitat and habitat of endangered species or threatened species, development may be permitted in accordance with provincial and federal requirements, and infrastructure may also be permitted in some circumstances in accordance with applicable legislation and regulations;
- For Group B features, development may be permitted if it can be demonstrated through an Environmental Impact Study that no negative impacts on the features or their associated ecological functions will result;
- For Group C features, the policies of this Plan provide general controls on development with the aim of improving the overall health of the natural heritage system including the improvement of linkages within corridors.

Regardless of the type of feature, development of lands will be generally directed away from the Natural Heritage System and/or subject to such evaluations or conditions as required by the policies of this Plan and the County Official Plan.

Note: Provincial review and approval will be required for any development within the habitat of endangered or threatened species.

Consistent with Provincial Policies, the natural heritage policies of the Lambton Shores Official Plan shall not limit the ability of agricultural uses to continue.

Any land dedication that may be accepted by Lambton Shores shall be managed consistent with the Natural Heritage Policies of this Plan.

The Lambton County Official Plan designates the entire Lambton Shores lakeshore, generally west of Highway 21 and Lakeshore Road, and the Ausable River corridor as a “Core Area (Anchor) Primary Corridor”. Major watercourses are also designated “Primary Corridors”. Many globally, nationally and provincially environmentally significant areas (ESA’s) are located throughout Lambton Shores, as shown the Schedules of this Plan. The Plan emphasizes landowner stewardship, including woodlot and farm management, as an important way to protect and enhance these features.

3.2 Overview of Major Components

The features of the Lambton Shores Natural Heritage System are identified on Land Use Plans including Schedule A (Natural Heritage), Schedules A1 to A8 (Natural Heritage), and Schedules B and C. These features or those otherwise identified by the policies of this Plan are to be considered as overlays to the designations on Schedule A and Schedules A1 to A8.

The location and extent of the natural features are approximate. The boundary of the natural features and their buffers shall be delineated more precisely through an Environmental Impact Study, or other appropriate study deemed acceptable by the Municipality of Lambton Shores, County of Lambton, the Ausable Bayfield Conservation Authority and the St. Clair Region Conservation Authority, and be required to be submitted as part of a future development application for the lands.

Some natural heritage features are not identified on Schedule A and Schedules A1 to A8 that are otherwise identified by the policies of this Plan. These include natural heritage features that require further work to identify, constitute sensitive information that cannot be displayed, or are too small or numerous to be specifically identified on Schedule A and Schedules A1 to A8.

3.3 Hazard and Lakeshore

The location and extent of the “Hazard” and “Lakeshore” areas and features are approximate. The boundary of these areas and features and their buffers shall be

delineated more precisely through appropriate studies deemed acceptable by the Municipality of Lambton Shores, County of Lambton, the Ausable Bayfield Conservation Authority and the St. Clair Region Conservation Authority, and be required to be submitted as part of a future development application for the lands.



To protect public health and safety from natural hazards and preserve natural heritage features, the Official Plan directs development away from hazardous lands and sites along the Lake Huron shoreline, rivers and streams.

Hazard lands include lands covered by water, located in a floodway or on organic soils or subject to flooding and/or erosion.

Major “Hazard and Environmental Protection” features in Lambton Shores include the Thedford-Klondyke floodplain and a large portion of the Port Franks-Northville Planning Area. The “Lakeshore” designation applies to lands subject to dynamic beach and flood and erosion hazards along the Lake Huron shoreline.

The Conservation Authority Regulation governs the extent of regulated areas, including around wetlands, watercourses or hazardous lands, where development or site alteration is prohibited subject to written approval from the Conservation Authority.

Not all features or areas identified as part of the natural heritage system for Lambton Shores contain inherent hazards and not all natural hazard areas contain natural heritage features or areas, but they can be coincident. Where there is overlap between policies in this section of the Plan, all of the applicable policies are to be addressed, with the more restrictive applying where there are conflicts.

Natural Hazard Areas are areas susceptible to flooding and erosion and are generally located within the Regulation Limit of the local Conservation Authority as identified on the map Schedules. With the exception of Hazard Area and Lakeshore Areas 1 and 2, natural hazards or natural hazard areas in the policies of this Plan do not refer to a land use designation and apply wherever natural hazards are determined to exist.

3.3.1 Hazard

3.3.1.1 Permitted Uses

New development and site alteration are generally not permitted in “Hazard” areas. Buildings and structures are generally not permitted, except for those required for flood or erosion control, conservation and passive recreational purposes. Development shall not adversely affect the ability of the floodplain to pass floodwaters and new development is not permitted in the floodway or floodplain where a floodway has not been established on a watershed basis.

The Hazard and Wetland components of the hazard areas are regulated by the Conservation Authorities and approvals from the Conservation Authorities are required prior to the commencement of development activity in regulated areas. Development activities include, but are not limited to: construction/reconstruction of a structure, placement or removal of fill; re-grading; altering a watercourse; altering/developing a shoreline; or interfering with the function of a wetland.

Permit applications are submitted to the staff of the Conservation Authority for review. This review is conducted under the internal times frames approved by the Authority Board. Authority Staff can approve applications subject to conditions. If an application cannot be supported by Authority Staff, because it does not comply with the Authority’s policies, it is presented to the Authority Board, who has the authority to refuse a permit application. Decisions made by the Board and staff on permit applications can be appealed to the Ontario Land Tribunal. Internal renovations that do not change the use of the structure or intensify the use of the structure are not generally subject to a permit. Excluding buildings and structures, uses permitted in hazard areas include:

- existing agriculture;
- conservation, forestry and wildlife management;
- parks and open space, including beaches and passive recreation;
- existing golf courses and parking areas. Any new golf courses and parking areas or expansions/extensions require Conservation Authority approval
- notwithstanding the above some of these uses may not be permitted if located on or adjacent to wetlands, ESA’s, ANSI’s or other significant components of the natural heritage system.

3.3.1.2 Policies

- Hazard mapping including floodplain and erosion mapping, available from the Conservation Authorities, often delineates the limits of natural hazards and is based on best available data and analysis. Accurate mapping of flood lines may not exist in many cases. Where any flood and erosion risk mapping, flood control or other works are undertaken which result in significant changes to the boundaries of Hazard and Environmental Protection Areas, the Official Plan will be deemed to be amended accordingly.
- No alteration of a watercourse, placement or removal of any fill, construction/re-construction of a structure; altering/developing a shoreline; or interfering with the function of a wetland is permitted, unless prior written approval is obtained from the Conservation Authority having jurisdiction. Lambton Shores has enacted a “Site Alteration” By-law regulating these activities.
- New development is not allowed in the long-term erosion hazard (see definition, Section 2.6) standard which represents the 100 year erosion rate (see definition of erosion hazard, Section 2.6), a stable slope allowance and an erosion allowance. The limits of the hazard are determined in consultation with the Conservation Authorities.
- Structural and non-structural measures are not permitted to allow new development to encroach within the hazard limits; setbacks are required for new development including lot limit setbacks. Technical studies, including but not limited to geotechnical engineering and coastal engineering, may be required to determine appropriate setbacks from the hazard.
- The existence of natural hazards on private lands does not imply that these lands are free and open to the general public. They are private lands. It should also not be assumed that the land will be purchased by the Municipality or other public body in fulfillment of the municipal parkland dedication required for development. At the time of development approval the Municipality will assess their public land needs and determine if the hazard lands will be considered for public ownership.
- Some existing residential and commercial areas in Lambton Shores have been designated as Special Policy Areas (see definition, Section 2.6), as permitted by Provincial Policy (PPS 2020). Where public safety risks are minor, a two zone (see definition, Section 2.6), approach may allow development in the flood fringe (see

definition, Section 2.6), between the 1:100 year flood line and the Regional floodline, if mitigation measures are provided to the satisfaction of the Conservation Authority. No new Special Policy Areas will be permitted.

3.3.2 Lakeshore

The Great Lakes are the largest fresh water system in the world and supply water to more than one-third of the country's population. The influence of the Great Lakes, including Lake Huron, on the Canadian people and our history is immeasurable. Also a valuable tourist attraction, Lambton Shores' Lakeshore includes coastal ecosystems composed of dunes, coastal wetlands and upland bluffs, each with their own unique, native plant communities.

The Lakeshore areas in Lambton Shores are under the jurisdiction of either the Ausable Bayfield Conservation Authority (ABCA) or the St. Clair Region Conservation Authority (SCRCA). Development is not permitted in Lakeshore Area 1 and new development is generally directed outside of Lakeshore Area 2 in the hazardous areas along the Lake Huron shoreline. Lakeshore Area 1 represents the area of highest risk from shoreline flooding, erosion or dynamic beach



impacts, whereas Lakeshore Area 2 represents the area of medium risk and longer term recession and protection from the hazard. The landward limit of the Lakeshore Area 2 represents the limit of the shoreline hazard as defined in Provincial Policy Statement (PPS 2020). It is the goal of the Shoreline Management policies contained in the Provincial Policy Statement (PPS 2020) and the Conservation Authorities' Shoreline Management Plans to direct new development to areas outside of Lakeshore Area 2 and the shoreline hazard.

3.3.2.1 Policies

Although the Lakeshore area is defined and regulated by the Conservation Authority having jurisdiction, the following policies generally describe and define Lakeshore Areas

1 and 2 and provide direction for land use within these areas. Lakeshore Area 1 is the most hazardous and thus development and site alteration are generally not permitted. These areas are regulated by the Conservation Authorities and the Conservation Authorities should be contacted respecting any changes proposed for these areas.

- “Lakeshore Area 1” generally reflects a risk to flooding and higher risk to erosion in the shorter term. The highly unstable and more dynamic portion of the dynamic beach is situated within Area 1. The Lake Huron Shoreline hazards are:
 - “Flooding hazards” - the shoreline landward from the water’s edge, including lands covered by the 100-year flood level, plus a 15 metre allowance for wave uprush (see definition, Section 2.6);
 - “Erosion hazards” - shoreline lakeward of the stable slope allowance, including the slope face and toe and an erosion/erosion access allowance (see definition, Section 2.6); and
 - “Dynamic beach hazard” - area measured landward from the water’s edge, including the flood hazard plus a distance of 30 metres measured horizontally. This represents the most highly unstable portion of the beach profile and is generally considered to be the active beach zone and portion of the dune complex potentially affected by wave action during a 100 year flood plus wave uprush event (see definition, Section 2.6).
- “Lakeshore Area 2” generally reflects a risk to erosion in the longer-term more landward portion of the dynamic beach hazard:
 - “Erosion hazard” - shoreline landward of the from Lakeshore Area 1 subject to the 100 year erosion rate or extend landward from the top of the unaltered lake bluff measured a distance of 30 metres, whichever is greater; (see definition, Section 2.6); and
 - “Dynamic beach hazard” - area extended from Lakeshore Area 1 to a point where the action by waves, wind-related and other water processes no longer influence the beach profile. This area can consist of unstable sediments where embryo and main foredunes may be situated. This distance is a minimum of 15 metres landward, but is to include beach profiles subject to wave action and other related shoreline processes and is to extend over the dune area to the closest parallel shoreline road (see definition, Section 2.6).

Development is not permitted in “Lakeshore Area 1”. For existing developed lots, repairs/maintenance and interior alterations for existing dwellings and repairs and maintenance of existing decks are permitted with permission from ABCA or SCRCA, as applicable. Rebuilding of a dwelling destroyed by forces other than flooding and erosion is permitted, subject to some conditions to reduce future risk to life and property damage from flooding and erosion. These activities are also allowed in Lakeshore Area 2, along with minor building additions. No new lot creation is permitted in either Lakeshore Area 1 or 2.

For more detail refer to the ABCA and SCRCA development guidelines for the Lakeshore Area (See websites). The Conservation Authority guidelines and policies related to the shoreline are consistent with Provincial direction and account for local shoreline characteristics. The Municipality fully supports the ABCA and SCRCA in their delegated approval to protect the shoreline as it relates to planning matters and their regulatory role at the building and permitting stage. In this way, municipal planning and development permitting along the Lake Huron Shoreline in Lambton Shores will be consistent in its approach. New development should be directed to areas outside of the Lakeshore wherever possible and where this is not possible, new development should be located as far landward on the existing lot as possible and be consistent with accepted coastal scientific and engineering principles.

The Official Plan allows the development of new marinas, boat docking or boat servicing along the lakeshore, subject to the policies included in Section 9.

3.3.2.2 Shoreline Protection

Shoreline protection works include structural works (groynes, revetments, seawalls) and non-structural works (beach nourishment, re-grading and drainage improvements). Any works in areas regulated by the Conservation Authorities require approval from the ABCA or SCRCA, as applicable. Conservation Authority policies attempt to balance increasing pressure for shoreline protection from the community with the need to maintain and enhance existing beaches, minimize erosion and stabilize the clay bluffs and direct development away from hazardous areas.

In order to allow the continuation of natural shoreline processes development setbacks from the hazard will be required. Shoreline protection works are not permitted for new development and are not encouraged for developed areas. The Conservation Authorities’ Shoreline Management Plans include guidelines for structural and non-structural

protection works. Prior to any work being initiated, the applicant must clearly demonstrate to the Conservation Authority that the following alternatives are not feasible:

- Relocation of existing buildings;
- Consolidation of adjacent properties to provide additional lot area;
- Use of appropriate setbacks for existing vacant lots
- The proposed work will not detrimentally impact coastal processes.

Shoreline protection measures may be considered for existing development when there is no other feasible solution to prevent storm wave damage uprush, overtopping or other water related hazards or to stabilize the shoreline over the long-term. The following policies shall apply:

- Shoreline protection measures will only be considered for existing development, not for new development.
- Costs associated with the design, installation and future maintenance of shoreline protection are the responsibility of the proponent or landowner. This does not imply that the Municipality will be responsible for the costs associated with protecting municipal lands when such improvements is to the benefit of a private property owner. Funding or municipal contributions to shoreline protection will be determined on a case by case basis.
- All designs must be based on accepted scientific and engineering principles and prepared by a properly qualified coastal engineer.
- All applications must be accompanied by an impact assessment showing that the proposed works will:
 - not increase long-term erosion rates at adjacent properties;
 - not adversely affect lakeshore sand transportation routes;
 - not adversely affect the terrestrial and aquatic shoreline ecosystem; and
 - maintain pedestrian and public access along the beach;
- Quality control during construction and monitoring after construction are also required.
- Shoreline protection measures may be subject to the “Class Environmental Assessment for Remedial Flood and Erosion Control Projects” (1993).

3.4 Natural Heritage Corridors and Natural Heritage Areas

3.4.1 Natural Heritage Corridors

Natural heritage areas and corridors play a valuable role in the natural heritage system. They contain natural habitat, provide a link among the system's various components and add to species richness, movement and diversity. In addition to their aesthetic, cultural and recreational value, corridors also provide protection from flooding, erosion and other hazards.

Lambton Shores includes three Primary Natural Heritage Corridors:

- the internationally significant oak savannah/dune succession ecosystem from Grand Bend to Kettle Point;
- the West Bosanquet Lakeshore centred on undeveloped portions of modern day Lake Huron and remnant features of glacial Lake Algonquin;
- the Ausable River Valley.

Lambton Shores is part of the Carolinian Zone (Southern Deciduous Forest Region) and the Boundary Zone between the Carolinian and the Mixed Woods Zone. Since it is at the boundary of two zones, the Municipality includes a diverse complement of vegetation representing both zones. The Carolinian Zone, found in Southwestern Ontario and nowhere else in Canada, makes up only 1% of the total land base of Canada. Habitats in the Carolinian Zone are rich and varied with sand dunes, marshes, tall grass prairies and southern deciduous forest. Over 2,000 species of plants have been identified and approximately 400 species of birds sighted, which is over half of the total species of birds in Canada. The Carolinian Zone provides breeding grounds for over 40% of the country's bird species and habitat for many rare mammals, herptiles and insects.

Lambton Shores' Natural Heritage System also includes Secondary Natural Heritage Corridors. These corridors generally follow the woodlots in the agricultural areas of the Municipality. Most of the linkages are via the Lake Huron shoreline, Ausable River and agricultural drains.

3.4.2 Natural Heritage Areas

3.4.2.1 Environmentally Significant Areas (ESAs)

As shown on Table 1 many ESA's are located in Lambton Shores in both the ABCA and SCRCA watersheds. These ESA's are shown on land use Schedules A and A1 to A8 of the Plan. Most of these areas are located in Lambton Shores' "Primary Natural Heritage" corridors along Lake Huron and the Ausable River Valley. These environmentally significant areas and the possible existence or habitat of Species at Risk have been established in consultation over the years with the Province of Ontario and The County of Lambton.

TABLE 1
Environmentally Significant Areas in Lambton Shores

Name, Planning Area	General Description	Endangered Species, Species at Risk Present?
Ausable Bayfield Conservation Authority Watershed		
Old Ausable Channel, Grand Bend and North Bosanquet Planning Areas	Part of internationally significant oak savannah and active dune system along Lake Huron from Grand Bend to Kettle Point	Yes
Ausable Disjunct Woods, Rural/Agricultural Area	Silver maple swamp, maple-beech forest centred on tributary to Ausable River	Yes
Ausable River Valley and Rock Glen Conservation Area, Rural/Agricultural Area	Dramatic and ecologically diverse river corridor, internationally renowned fossil bed, limestone outcropping with waterfalls	Yes
Jericho Creek Woodlot, Rural/Agricultural Area	Mature deciduous forest, wet lowland successional zones centred on Jericho Creek	Yes
Pinery Provincial Park, North Bosanquet Planning Area	Part of the internationally significant ecosystem along Lake Huron from Grand Bend to Kettle Point. Also includes an Area of Natural and Scientific Interest (ANSI)	Yes
Port Franks Wetland and Forested Dune Complex, Karner Blue Sanctuary, "Watson Property", Lambton Heritage Forest and	Part of internationally significant ecosystem along lake. Large, topographically diverse area of oak-pine forested dune ridges, with an ANSI, Provincially Significant Wetland (PSW) and Karner Blue	Yes

Name, Planning Area	General Description	Endangered Species, Species at Risk Present?
Thedford Conservation Area, Port Franks-Northville Planning Area	Butterfly Sanctuary, home to the only known, viable population in Ontario	
Thedford Bog, Rural/Agricultural Area	Class 3 Wetland with upland mixed forest, lowland coniferous forest	Yes
Thedford Brick Yard, Gordon Road, Rural/Agricultural Area	ANSI	To be determined
Thedford Marsh Floodplain, Rural Agricultural Area	Hazard and Environmental Protection area, important migratory fly way for birds	To be determined
Bosanquet Wet Woodlots, (BOS-3-D, a, b & c), Bog Line, Sitter Road, Kennedy Line, Rural/Agricultural Area	Three wet woodlots representing past very wet nature of area	To be determined
Bosanquet Lowland Swamp, (BOS-1-C, a & b), Lots 7 & 8, Conc. 4 & 5, Cedar Point Line, Rural/Agricultural Area	Silver maple lowland swamp	To be determined
Wilcox Creek Coldwater Watercourse, Rural/Agricultural Area	Cold/Cool Water stream (Type D) with trout/salmon present, rare habitat in this part of the ABCA watershed	No
St. Clair Region Conservation Authority		
Cedar Point, Cedar Point Line, West Bosanquet Planning Area	Small remnant of undeveloped Lake Huron shoreline with mixed coniferous/deciduous forest in a rugged ravine cut by a small creek	Yes
Kettle Point Wetlands – Gustin Grove Marsh and Shashawandah Creek Woodlots, Lakeshore Marsh (PSW) & Algonquin Bluff, West Bosanquet Planning Area	Remnant lakeshore marsh (PSW) and forest, topographically and biologically diverse with high aesthetic appeal	Yes

Name, Planning Area	General Description	Endangered Species, Species at Risk Present?
Ipperwash Dunes/Woodlot Complex, Ipperwash Planning Area	Part of internationally significant oak savannah, dune succession consisting of rolling forested dunes, interspersed with streams and lakes	Yes
Former Ipperwash Provincial Park (outside municipal jurisdiction)	Also part of oak savannah, dune succession ecosystem along lakeshore, with a series of linear sand ridges and depressions and Duffus Creek. Forest vegetation not well developed	Yes
Former Ipperwash Military Reserve (outside municipal jurisdiction)	Part of oak savannah, dune succession ecosystem along lakeshore	Yes
Kettle Point and Stony Point First Nation Shoreline and Marsh Complex (outside municipal jurisdiction)	Lake Huron shoreline shale outcrop with unique “kettle” concretions, pyrite nodules and petrified wood, lowland and deciduous mixed forest, inland and lakeshore marsh (continuation of Shashawandah Creek PSW)	Yes

Consistent with the PPS, development, infrastructure, public service facilities and site alteration, as defined in Section 2.6 are not permitted in ESA's. Permitted uses include:

- Non-agricultural uses, that existed on the day of adoption of this plan but no expansions are permitted;
- Existing Agricultural uses may continue within or adjacent to ESA's, but shall not be expanded;
- Passive recreational uses, including pedestrian trails, provided such trails are designed, constructed and managed to minimize impacts on the ESA;
- The harvesting of trees in accordance with responsible forestry management practices, as outlined in Section 17.4.

Many of these ESA's are in private ownership. Lambton Shores current policy does not intend that all ESA's be purchased and brought into public ownership or that ESA's are open and accessible for public use. Two methods will be used to preserve ESA's:

- Stewardship programs, as outlined in Section 3.6, as a first preference; and
- Public acquisition by Lambton Shores or environmental advocacy groups, as a second preference. Acquisition may occur as properties become available through purchase, dedication, donation or bequest.

3.4.2.2 Wetlands

Wetlands, including swamps, marshes, bogs and fens, provide important habitat for plants, fish and wildlife and positively influence the quality and temperature of water flowing through them. Some wetlands also provide storage capacity to offset peak flows associated with storm events. The Provincial Policy Statement (PPS 2020) and Lambton County Official Plan both require the protection of significant wetlands.

Wetlands and the lands immediately adjacent to them are also regulated by Conservation Authorities under Ontario Regulation 41/24.

Land Use Schedule A and Schedules A1 to A8 show wetlands throughout Lambton Shores. Wetland classes and boundaries have been identified according to the Province of Ontario Wetland Evaluation System.

3.4.2.2.1 Policies

- No development, site alteration, infrastructure and public service facilities are allowed in Provincially Significant Wetland or locally significant wetlands. All wetlands will be protected regardless of the Wetland Evaluation score.
- An Environmental Impact Study (EIS) will be required for any development, site alteration, etc. within 120 metres of a Provincially Significant Wetland or 30 metres of a locally significant wetland, as outlined in Section 3.5 of the Official Plan. The relationship of wetlands to groundwater resources must be considered in the EIS. (Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005 Second Edition)
- If an unclassified wetland is encountered during a planning or engineering study, Council may request that an EIS be undertaken and the wetland evaluated by a qualified person using the Ontario Wetland Evaluation System or approved equivalent.

3.4.2.3 Significant Woodlands

Part of the Huron Fringe Forest, Lambton Shores was historically heavily forested. By the mid to late 1800's, Lambton Shores was basically deforested, as large tracts were cleared for the lumber industry and agriculture. The location and size of remaining woodlots reflect land survey and historic settlement patterns.

Woodlots are a viable component of farming operations since they enhance soil conservation, provide wind protection, help retain soil moisture and support locally-based wood processing industries. Woodlots are also a renewable resource.

Lambton Shores will identify Significant Woodlands using the criteria and mapping contained in the draft Lambton County Natural Heritage Study (2014) and include them on Schedule A and Schedules A1 to A8 of this Official Plan.

Development and site alteration is not permitted in a significant woodland unless it can be demonstrated that there will be not negative impacts on the natural features or their ecological functions. An Environmental Impact Study (EIS) will be required for any development, site alteration, etc. within 120 metres of a Significant Woodland as outlined in Section 3.5 of the Official Plan. (Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005 Second Edition)

3.4.2.3.1 Tree and Woodland Protection

- The Municipality recognizes the importance of trees and woodlands to the health and quality of life in our community. The Municipality shall encourage sustainable forestry practices and the protection and restoration of trees and forests.
- Opportunities for tree planting on Municipality-owned lands (such as lands designated Open Space and inactive portions of parks) shall be identified and implemented in co-operation with government agencies and local interest groups. In restoration efforts, the Municipality shall plant only indigenous species, preferably those of local origin.
- Where Lambton Shores is undertaking infrastructure work, existing woodland resources shall be protected and preserved, where feasible. If it is necessary for infrastructure works to destroy any trees, excluding trees that are listed as threatened or endangered species, Lambton Shores shall endeavour to compensate by re-

planting on site and/or planting trees elsewhere. Should the removal/destruction of any trees that are listed as threatened or endangered species be required to complete infrastructure works, Lambton Shores will contact the appropriate Provincial authority to determine the necessary approvals and mitigation.

3.4.2.3.2 Natural Environment Designation

Areas designated “Natural Environment” in the North Bosanquet Planning Area and shown on Schedule “A2” are part of a significant woodland. To maintain this woodland, the “Natural Environment” designation applies to this wooded area along Highway 21 and the existing 23 metre deep treed buffer between the Deer Run and Oak Forest Estates Subdivisions adjacent to Highway 21. The buffer is intended to maintain the wooded area and minimize noise and traffic impacts. Although the Zoning By-law prohibits tree clearing, the buffer is gradually being eroded by residential use. The following policies apply:

- Permitted uses include one dwelling unit per lot.
- Each existing lot within the “Natural Environment” designation in the North Bosanquet Planning Area, and shown on Schedule “A2”, will be permitted to sever one additional lot provided:
 - both the severed and retained lots have a minimum lot area of approximately 2 hectares;
 - the severance can be supported by an EIS prepared in compliance with Section 3.5; and
 - an EIS is submitted with any development proposal.
 - Only a minimal amount of the existing tree cover and natural vegetation may be cleared for dwelling construction, including septic system, if applicable. Tree removal will be addressed in any development approval and development agreement.
 - A 23 metre treed buffer must be maintained along Highway 21. No tree clearing, landscaping or accessory residential buildings or structures are permitted.
 - Access to Highway 21 is not permitted unless an entrance permit has been issued by MTO.

With the exception of the “Natural Environment” area in the North Bosanquet Planning Area, development and site alteration are not permitted in woodlands designated “Natural Environment”. New infrastructure and public service facilities are also not permitted.

Woodlots may be used for agricultural purposes, such as timber harvesting and maple sugar operations, in accordance with good forestry and Environmental Farm Management practices. Existing agricultural uses are also permitted with the exception of livestock grazing. Minor tree clearing, to make farming operations easier or to “round out” crop fields, is allowed subject to the County of Lambton Woodlands Conservation By-law. Stewardship programs for woodlots are included in Section 3.6.

3.4.2.3 Other Significant Woodland Policies

Ecological buffer zones for significant woodlands may be required based on default setbacks or the findings of an EIS completed per Section 3.5 of this Plan. Other policies include:

- the Municipality encourages Woodlot Management Plans, as outlined in Section 4.6., and the enlargement of forest interior.
- any trees or forest cover removed for development, site alteration, infrastructure and public service facilities must be replaced at twice the area removed. Replacement cover should be planted in the same corridor and consist of similar or native vegetation.
- Tree Preservation and Natural Vegetation Preservation Plans will be required as a condition of development.
- Council supports the efforts of Lambton County in managing the Lambton County Heritage Forest in Port Franks.

3.4.2.4 Wildlife

Wildlife habitat is one of the primary ecological functions provided by natural heritage areas. All animals have specific, individual habitat requirements for each stage of their life cycles, making primary and secondary corridors particularly important. As required by several Federal and Provincial Acts, the Official Plan protects the following habitats:

- Primary and Secondary Corridors;
- Hazard and Lakeshore Areas;
- ESA's;
- Areas Susceptible to Groundwater Contamination;
- Significant fisheries and wetlands;
- Woodlands and Natural Environment Areas;
- Significant Habitat of Endangered and Threatened Species.

Federal and Provincial Acts provide additional protection for birds. The Migratory Birds Convention Regulations (MBR's) prohibit the "incidental take" of migratory birds for economic activities and the disturbance, destruction or the taking of the nest of a migratory bird. Similar protection for most other wild birds is protected by the Ontario *Fish and Wildlife Conservation Act* and regulations.

No development or site alteration is permitted in wildlife habitat unless it can be demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions. An Environmental Impact Study (EIS) will be required for any development, site alteration, etc. within 120 metres of a significant wildlife habitat outlined in Section 3.5 of the Official Plan. (Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005 Second Edition)

To implement these laws, Lambton Shores may take the following actions:

- All EIS's, as required by the Official Plan, must include an assessment of existing and potential habitat.
- Development and site alteration, involving tree and vegetation clearing, must avoid the bird nesting season, generally extending from mid-April to the end of July in this area.

3.4.2.5 Significant Habitat of Endangered and Threatened Species

The *Federal Species at Risk Act* (SARA) is intended to prevent wildlife from becoming extinct or lost from the wild with the ultimate objective of helping their numbers recover. SARA covers birds, plants, fish, mammals, insects, amphibians and reptiles. The *Ontario Endangered Species Act* (ESA) came into force in 2008 and protects species at risk in Ontario. The *Endangered Species Act* includes additional species that are not at risk in Canada but are in Ontario, such as the bald eagle.

Provincial Species at Risk (SAR) are identified on Schedules to the *Endangered Species Act* and are updated from time to time. "Critical" habitat is essential for the maintenance, survival and/or recovery of naturally occurring or reintroduced populations of endangered or threatened species, during all life cycle stages.

In Lambton Shores, aquatic and terrestrial SAR and ESA species are known to exist throughout the Municipality. To protect habitats from disturbance, specific locations are

not identified in the Official Plan or shown on the schedules. Specific locations will be determined during the development approvals process, using data from Provincial and Federal authorities or data acquired during an environmental evaluation as required. The following policies apply to preserve significant habitats:

- Development and site alteration, including grading, excavation and the placement of fill, are not permitted in habitats of endangered and threatened species, except in accordance with provincial and federal regulations.
- Lambton Shores' staff will assist property owners in determining if their lands are impacted by SARS and work with them and the appropriate Ministry of Natural Resources and Forestry Staff to obtain site specific information.
- The Ministry of Natural Resources and Forestry has general SARS mapping available at the County of Lambton to assist municipal staff in identifying those areas in the municipality which are or may be impacted by SARS.
- Development and site alteration are not permitted on lands within 120 metres of significant habitats of endangered and threatened species unless an EIS has been prepared in accordance with Section 3.5.
- Prior to accepting an EIS and allowing development and site alteration to proceed, Lambton Shores will be satisfied, in consultation with the appropriate Federal and Provincial authorities and Conservation Authority, that the EIS demonstrates that all negative impacts on habitat values and related ecological functions can be (in order of preference) avoided/minimized or mitigated.

3.4.2.6 Fisheries

As required by the PPS, the Lambton Shores Official Plan protects fish habitat (defined as including fish, shellfish, crustaceans and marine animals) from Harmful, Alteration, Disruption or Destruction (HADD), as required by the Federal *Fisheries Act*. No net loss of productive capacity is permitted. The Official Plan also protects aquatic species at risk and encourages the enhancement and restoration of existing fisheries.

3.4.2.6.1 Lake Huron Fishery

The Great Lakes fishery is one of the most important freshwater resources on earth. The fishery is worth more than \$4 billion, provides recreation for up to 5 million anglers, supports many thousands of jobs and contributes to a rich cultural heritage highly valued by the more than 30 million Canadian and U.S. citizens living in the basin. A Joint

Strategic Plan for the Management of Great Lakes Fisheries is currently being implemented by eight bordering states, several Federal agencies, the Province of Ontario and two First Nations agencies. The Lake Huron Committee consists of representatives from Michigan Department of Natural Resources, MNRF and the Chippewa-Ottawa Treaty Fishery Management Authority.

3.4.2.6.2 Watercourses and Drain Classifications

Based on a fisheries assessment, the following fisheries have been identified as “Significant Fisheries” in Lambton Shores:

- The Old Ausable Channel;
- Any watercourse with Species at Risk; and,
- The Wilcox Drain.

The Ausable Bayfield Conservation Authority prepared a Fish Habitat Management Plan (2001) and the Old Ausable Channel Management Plan (2008).

“Watershed Report Cards” are prepared by Conservation Authorities and provide information on fish communities, surface water quality and Fish or Mussel Species at Risk (SAR) for watercourses.

Drain classifications, Watershed Report Cards and any applicable Management Plans or successors, shall be consulted when applying the policies of this Plan.

TABLE 2
Select Attributes of Watersheds in the Municipality of Lambton Shores
(Source: Watershed Reports Cards, ABCA, 2007 and SCRCA, 2008)

Watershed (main Watercourses)	Fish Community	Surface Water Quality Grade	Fish or Mussel Species at Risk (SAR)
Ausable Bayfield Conservation Authority			
Dunes (Old Ausable Channel)	Warm water fishery in pond-like ecosystem	Not provided	Designated as an Environmentally Significant Area (ESA) Fish SAR present

Watershed (main Watercourses)	Fish Community	Surface Water Quality Grade	Fish or Mussel Species at Risk (SAR)
Mud Creek (Upper Mud Creek Drain, Lower Mud Creek Drain, Golden Creek Drain, Elliot McBryan Drain, Jericho Creek, Campbell Jameson Drain)	Warm water baitfish	C ²	No fish or mussel SAR identified
Lower Ausable (Ausable River, Ausable River Cut, Decker Creek, Nesbitt Drain, Shramek Drain, Hobbs McKenzie Drain, Zimmerman Drain)	Warm water fishery in main channel; baitfish in tributaries	C	No fish SAR, mussels SAR present
Lower Parkhill (Parkhill Creek)	Warm water fishery in main channel; baitfish in tributaries	C	Fish SAR present
St. Clair Region Conservation Authority			
Lambton Shores Tributaries (Woods Creek, James Creek, Duffus Creek, Shashawandah Creek)	No fisheries information in Watershed Report Card	Not provided	No fish or mussel SAR identified

A Fish Habitat Management Plan prepared by ABCA (2001) provides management strategies for sub-basins within the ABCA watershed, including sub-basins in Lambton Shores (e.g., Lower Ausable, Lower Parkhill, Mud Creek). Examples of key management strategies for improving aquatic resources include stewardship initiatives to improve water quality and streamside cover, reduction of nutrient and sediment input, maintenance of base flow, and promotion of substrate variability.

² Grade C indicates ecosystem conditions need to be enhanced.

The Old Ausable Channel, in the Grand Bend and North Bosanquet Planning Areas, is designated as an ESA. The channel consists of a pond-like ecosystem with a warm water fishery of about 50 species. The Old Ausable Channel Management Plan (ABCA, 2008) recommends measures to protect various components of the channel, including the current fishery. The fish community is dominated by minnows and sunfishes, although there are several top predators, such as largemouth bass (*Micropterus salmoides*), northern pike (*Esox lucius*), smallmouth bass (*Micropterus dolomieu*), and yellow perch (*Perca flavescens*). Three fish Species at Risk are known to inhabit the Old Ausable Channel.



The channel exhibits limited flow as it is only fed by groundwater, precipitation and limited runoff. The still and densely vegetated clear waters provide important habitat for Species at Risk. Based on this, DFO and ABCA have identified the channel as requiring protection under the Federal *Species at Risk Act*.

Based on a fisheries assessment completed for the Official Plan, the following fisheries have been designated as “Significant Fisheries”:

- The Old Ausable Channel, also an ESA;
- Any watercourses with Species at Risk;
- Wilcox Drain has also been designated as an ESA, since it is the only cold/cool water system in Lambton Shores and Lambton County with trout/salmon potentially present.

3.4.2.6.3 Fish, Mussel, Reptile Species at Risk

Within ABCA’s jurisdiction, watercourses protected under the Federal *Species at Risk Act* (SARA) for fish SAR include Decker Creek, Duffus Drain, Mud Creek, the Ausable River Cut, and the Old Ausable Channel. Mussel and reptile SAR have also been identified in the Ausable River. In summary, the Ausable River basin contains eight fishes, four freshwater mussels, and three reptiles currently (2008) protected under SARA. ABCA completed a Recovery Strategy (2004) with actions to protect and recover aquatic species at risk in the Ausable basin and the Department of Fisheries and Oceans Canada (DFO)

approved an Action Plan for the Ausable River (2020). In SCRCA's jurisdiction, no fish or mussel Species at Risk have been identified in Lambton Shores.

3.4.2.6.4 Policies

Lambton Shores will protect, enhance and restore fisheries by ensuring that all development and site alteration:

- Results in no net loss of fish habitat. Developments, site alteration, etc. that cause a HADD of fish habitat must obtain authorization from the Conservation Authority/DFO under the *Federal Fisheries Act*. A Fish Habitat Compensation Plan will be required to ensure no net loss of productive capacity of fish habitat.
- Where applicable, setbacks will be determined by an Environmental Impact Study (EIS) in accordance with policies of this Plan.
- Protects significant fisheries and coldwater streams as ESA's. Development within a certain distance of these features requires an EIS
- Protects fish SAR\ESA from impacts from development, site alteration, etc. An EIS, as described in Section 3.5, is required for all development and site alteration within a certain distance of SAR habitat.
- Protects fish SAR\ESA from adverse impacts caused by existing development. The Official Plan recommends the development of a Stewardship Program for residents and subdivision associations along the Old Ausable Channel and other ESA's, as outlined in Section 3.6.
- Contribute to the Conservation Authorities' Recovery Strategies. These strategies which are available at the CA's, identify actions for protecting and recovering aquatic Species at Risk.

Other policies for the protection, enhancement and restoration of Lambton Shores' fisheries are:

- Lambton Shores will follow the Drain Authorization Program, designed to minimize the effects of drain maintenance on fish habitat. Potential alterations to fish habitat caused by drain maintenance include changes to riparian vegetation, substrate composition and width and depth ratios. To avoid interference with spawning and reproduction, the Municipality will adhere to the timing restrictions developed by MNRF for any in water works.

- Many of the Municipality's fisheries and watercourses are located in the Agricultural area. The Official Plan encourages the development of Environmental Farm Management plans, as outlined in Section 4.4.

3.5 Environmental Impact Studies

3.5.1 An Environmental Impact Study (EIS) shall be required in accordance with the policies of this Plan for development and site alteration in the Lambton Shores Natural Heritage System. This usually, but not always, excludes activities that require no *Planning Act* approvals. The study shall demonstrate no negative impact on the natural features or the ecological functions for which the feature is identified. The study may determine the nature and extent of the feature and its ecological function; may incorporate a buffer or setbacks from the feature; and may result in a site layout that addresses the study recommendations.

3.5.2 An EIS required under this Plan shall be submitted with the development application and shall be prepared and signed by a qualified biologist or environmental planner. The Municipality may consult with the County or Province, or engage a third party to assist in assessing the need for and scope of an EIS or to conduct a peer review of an EIS, at the proponent's expense.

3.5.3

- An EIS shall be required for development on lands adjacent to significant natural heritage features (i.e. Group A and Group B features). The lands defined as Adjacent Lands are generally within 120 metres of the feature, unless an alternative standard for Adjacent Lands is established through this Plan or the Lambton County Official Plan.
- The extent of Adjacent Lands where an EIS is required may be reduced on a site-specific basis, based on the nature of the features, the existing conditions of the site and surrounding lands, the scale of the proposed development, and the likelihood of negative impacts on the natural heritage features.
- An EIS may be required for development within or adjacent to Group C features, as determined by Lambton Shores.

3.5.4 An EIS shall be completed in accordance with the process requirements as outlined in the County of Lambton Official Plan.

The completion of an EIS does not assure the approval of a development application. Accepting, modifying or rejecting development proposals adjacent to natural areas is part of a larger development approvals process.

An EIS may be required as part of a “complete” application. An EIS is considered a “draft” until reviewed by the Municipality. To be accepted by the Municipality, the EIS must demonstrate that the development will have no negative impacts on natural features and their ecological functions that cannot be mitigated. A “final” EIS and/or addendum, addressing any comments identified in the Municipal review may be submitted as part of a “complete” application.

3.5.5 The required scope and/or content of an EIS may be modified, through pre-consultation with Lambton Shores where the environmental impacts of a development application are thought to be limited, or if other environmental studies fulfilling some or all requirements of an EIS have been accepted by the Municipality.

3.5.6 An EIS may not be required where Lambton Shores determines that no negative impacts would be anticipated on the natural heritage feature or adjacent lands. The requirements for an EIS may be reduced or removed in the following circumstances and only where no negative impact is anticipated:

- Where the proposed development is small scale (non-agricultural development); or
- Where the proposed development is small or medium scale (agricultural development only); or
- Where the proposed development is not in an area regulated by the Conservation Authority; or
- Where the proposed development is on an existing lot of record; or
- Where the development is an addition located away from the feature; or
- Where the proposed development is separated from the feature by a road or existing development; or
- Where the development is wholly contained within the existing footprint or includes a minor addition that is > 15m from the feature.

3.5.7 An EIS is not required for uses authorised under an Environmental Assessment process carried out in accordance with Provincial or Federal legislation or a watershed plan carried out by the County of Lambton and/or a Conservation Authority.

3.5.8 Where it is demonstrated that all, or a portion of, a Group B or Group C feature does not meet the criteria for designation under this Plan and thus the site of a proposed development or site alteration no longer is located within the Group B or Group C feature or adjacent land, then the restrictions on development and site alteration set out do not apply. This policy requires an EIS or study through an Environmental Assessment process to determine whether the designation is still appropriate.

3.5.9 Lambton Shores, in coordination with the County of Lambton, may develop guidelines for the evaluation of development proposals consistent with the policies of this Plan.

3.6 Stewardship Programs

Many components of Lambton Shores' natural heritage system are owned by private landowners, including farmers and residents. As a result, landowner stewardship is an important tool for protecting and enhancing the natural environment.

3.6.1 Living along the Lakeshore - Grand Bend, Port Franks-Northville and Ipperwash

The Municipality encourages local natural heritage stewardship groups to educate and provide information to homeowners living in the nationally significant oak savannah and dune succession ecosystem along the lakeshore from Grand Bend to Ipperwash. Interested homeowners may also refer to the Stewardship Guide for the Lake Huron Coastline (2006) and the Port Franks Beach and Dune Stewardship Guide (2008) prepared by the Lake Huron Centre for Coastal Conservation.

The top 10 "do's and don'ts" for living along the lakeshore are:

- preserve on-site tree and natural vegetation
- plant native trees, shrubs, groundcovers, suitable for upland woodland ecosystems
- plant dune grass to preserve sand dunes. Destruction of dune vegetation can cause dune blowout due to wind erosion

- limit access to the beach to designated routes to minimize disturbance, focus recreational activity on un-vegetated areas, don't use vehicles on the beach-dune system
- maintain the equilibrium created by nature. Removal of beach or dune vegetation and alteration of sand dunes will have significant consequences
- recognize that you are in a dynamic coastal system where natural shoreline change is normal
- avoid planting alien and invasive trees, shrubs and groundcovers
- eradicate damaging invasive species
- be on the "look out" for Species at Risk and don't touch!
- minimize the use of fertilizers, pesticides and large amounts of water.

3.6.2 Living along the Old Ausable Channel

The Municipality encourages local natural heritage stewardship groups to educate and provide information to homeowners respecting the stewardship of the Old Ausable Channel. Interested homeowners may also refer to the stewardship guidelines included in ABCA's A Management Plan for the Old Ausable Channel Watershed (2008).

Some "do's and don'ts" for living near the Old Channel are:

- keep nutrient levels low, don't throw soil or plant material into the channel, minimize the use of fertilizers
- don't release exotic fish species into the channel
- don't mow grass to the water's edge, but maintain some natural vegetation to prevent erosion and increase shade
- Leave most of your yard in a natural state. The Official Plan requires that a minimum of 35% of the lot area be left in a natural state
- use plants native to an oak savannah, dune succession ecosystem, remove and don't plant invasive species, work with local nurseries and the ABCA to make native plants more readily available
- Keep your septic system in good repair to protect water quality.

Pamphlets prepared by the Department of Fisheries and Oceans (DFO) (available at www.livingbywater.ca) also include useful property owner checklists for protecting shoreline property.

3.6.3 Living with Woodlots, Wetlands and Watercourses

Excellent stewardship guidelines are available for these natural heritage system components. Some examples include:

- guidelines for the preparation of Woodlot Management Plans by MNRF;
- Rural Landowner Stewardship Guide published by the University of Guelph, Huron County, ABCA, Lake Huron Centre for Coastal Conservation, Friends of the Bayfield River and Huron Stewardship Council, 2013;
- Working Around Wetlands? What you should know, a pamphlet prepared by Environment Canada and the Province of Ontario as part of the Great Lakes Wetlands Conservation Action Plan (GLWCAP). The Action Plan is a partnership commitment between the Federal and Provincial governments and non-government organizations to establish a coordinated and comprehensive wetlands conservation program for Great Lakes wetlands;
- Other wetland guidelines are available from Ducks Unlimited and the Province of Ontario.

3.6.4 Environmental Farm Plans

The Canada-Ontario Environmental Farm Plan (EFP) is a voluntary environmental education and awareness program delivered by the Ontario Farm Environmental Coalition. EFP's are assessments prepared by farm families to increase environmental awareness in over 20 different areas of the farm. The plans identify the farm's environmental strengths and areas of environmental concern and set realistic action plans with time tables to improve environmental conditions. The EFP is submitted for a confidential peer review through the Lambton County Soil and Crop Improvement Association.

Once an Action Plan is deemed appropriate, farmers can participate in the EFP Cost-Share Program to cover a portion of the costs of implementing eligible projects. The program is considered a great success across Ontario.

The Rural Landowner Stewardship Guide 2013 also includes useful guidelines for waste management, storage and proper handling of fuels, pesticides and other chemicals, farming with wildlife and working with ecosystems.

3.6.5 Compensation Programs

As mentioned, many of Lambton Shores' natural heritage features are located on privately held land, particularly farmland. For example, in 2006, over 5% of the Municipality's farmland consisted of woodlands, wetlands and lands used for the production of Christmas trees. As a result, Lambton Shores' farmers have played a crucial role in the preservation of these features. These features provide an almost endless list of environmental, social and economic benefits for the Municipality, Lambton County and the Province.

In addition to the Cost-Share Programs available for Environmental Farm Plans, several compensation programs are available to farmers who put their lands into environmental service. Some programs identified are:

- The Farm Rebate Program, sponsored by the Agricorp;
- Conservation Land Tax Incentive Program, sponsored by the Province. Property tax rebates are available to farmers who agree to protect and maintain the natural heritage values of eligible property, such as PSW's and ANSI's;
- Ontario Managed Forest Tax Incentive Program, also sponsored by the Province. Property tax rebates are available for private woodlot owners who manage their land for the long-term health of the environment.
- Alternative Land Use Services (ALUS) program. In these programs, farmers are compensated by various environmental organizations for putting some of their lands into "environmental service" for a variety of purposes, ranging from carbon sequestration and wildlife habitat to water cleansing. These programs are intended to target marginal, unproductive, inefficient or environmentally sensitive farmland. Examples of "environmental service" include:
 - Planting native vegetation cover, such as oak savannah and Tall grass Prairie. A farmer may use the top growth of the Tall grass Prairie after it has reached its mature growth to feed cattle. This natural food source reduces the use of high fossil fuel consuming feeds, such as corn.
 - Planting pollinator hedgerows and using woody flowering species, to provide habitat and food for native bees adjacent to farm fields.
 - Adaptation to climate change, by changing to drought tolerant native grass species, Silva culture and Silva pasture techniques, all leading to an increase in carbon sequestering cover.

3.7 Environmental Advocacy Groups and Corporate Sponsorship

Many local and national environmental advocacy groups and private landowners contribute towards the protection and enhancement of the natural environment. To promote protection of the natural environment Lambton Shores will seek the assistance and co-operation of these agencies in implementing the Official Plan's environmental goals, objectives and policies. The Municipality supports the efforts of these groups. Corporate sponsorship of environmental initiatives provides another means of implementing the goals, objectives and policies of the Official Plan.

3.8 County of Lambton Woodlands Conservation By-law

The County of Lambton Woodlands Conservation By-law regulates the cutting of woodlots in Lambton Shores. The County will consider the land use designations and policies of the Official Plan when considering applications.

3.9 Municipal Drain Maintenance and Rehabilitation

Many Municipal Drains provide a fish habitat function, in addition to their function to convey water flow. Drains have the potential to provide all or some components of habitat that fish need to survive. For example, components of fish habitat include:

- Cover (e.g., woody debris, rocks, overhanging plants that provide hiding places for fish);
- Food (e.g., insects, small fish, algae, etc. that fish eat);
- Migratory corridors (e.g., areas that allow fish to travel from one part of the watershed to another);
- Reproduction (e.g., conditions needed for fish to reproduce, such as groundwater upwelling's, gravel bottoms or other conditions);
- Water quality (e.g., water with appropriate temperature that is well oxygenated).

The *Fisheries Act* generally applies to agricultural drain maintenance activities. Section 35(1) of the Act prohibits the Harmful Alteration, Disruption or Destruction (HADD) of fish habitat, unless the activity is authorized by Fisheries and Oceans Canada (DFO). Drain maintenance activities can have the potential to cause a HADD of fish habitat. Examples of these kinds of activities include removal of plants from the sides of drains, digging in

the drain to make it deeper and wider and allowing suspended sediments to degrade the water quality.

Drains in Lambton Shores have been classified for habitat management purposes by ABCA/SCRCA and DFO, as explained in Section 3.4.2.7. Lambton Shores follows the Class Authorization system for drain maintenance activities. The system allows Authorizations to occur for groups of activities permitted for particular drains, and stipulates the kinds of mitigation measures that must be applied. For example, a Class Authorization for a Type C (warm water drain) may include requirements that in-water work cannot be conducted during certain times of the year that are more sensitive to fish, such as during the spring months.

With the Class Authorization system, the approval process for works on less sensitive drains can be accelerated, while still identifying measures to protect their function as fish habitat.

The following apply to the construction or rehabilitation of drains:

- Grassed slopes, other plantings or suitable erosion control methods are required on the banks of drains to minimize erosion and sedimentation, add stability and protect water quality;
- The design should consider sub-surface geology and groundwater flow;
- Tile outlets must be constructed to minimize erosion along watercourses;
- Vegetated buffers should be planted, where possible, to protect drain banks and restrict cultivation near the drain;
- Stilling basins can be incorporated in drains to reduce the speed and volume of flow, act as settling areas for water borne particulates, enhance evaporation and serve as water storage areas.

Lambton Shores will follow the principles included in The Drain Primer (2008), prepared by DFO, Drainage Superintendents of Ontario and Ontario Federation of Agriculture. The primer assists in finding ways to maintain the effectiveness of open municipal drains, while limiting impacts on the natural environment.

3.10 Surface Water and Groundwater

As required by the PPS, the Official Plan includes policies for protecting, improving or restoring the quality and quantity of water, including surface water and groundwater features. With the Conservation Authorities as partners, the Official Plan's policies are based on the following objectives:

- To use the watershed as the ecologically meaningful scale for the planning and design of development, infrastructure and public service facilities projects. There are five sub watersheds in Lambton Shores, including:
 - Ausable River shed and Ausable River Cut
 - Klondike Bog
 - Old Ausable Channel
 - Lakeshore Streams, such as Decker, Mud, Jericho and Duffs
 - Lakeshore Gullies, including Shashawandah Creek
- To ensure the watershed's ecological and hydrologic diversity, the Official Plan includes policies to protect and maintain the links and related functions among all surface water, groundwater, hydrologic functions and natural features and areas.
- To minimize potential negative impacts on water quality. Surface water and groundwater quality and quantity are addressed from a number of perspectives in the Official Plan. Examples include:
 - The Plan's policies for the preparation of Nutrient Management and Environmental Farm Management Plans.
 - The protection of significant components of the natural heritage system. The fisheries, watercourse and wetland protection policies included in Section 3 of the Official Plan will make a significant contribution to minimizing potential negative impacts on surface water.
 - The protection of areas susceptible to groundwater contamination, as shown on Schedules B and C.
 - Other Official Plan policies for the protection of natural resources and water conservation.
- To protect, improve or restore vulnerable surface and groundwater, sensitive surface water and groundwater and their hydrologic functions. Lambton Shores and its community groups may continue with its on-going groundwater monitoring program in

the Grand Bend Planning Area. The current program is testing for parameters indicative of the presence of sanitary sewage in the groundwater

- To promote efficient and sustainable use of water resources, practices for water conservation and sustaining water quality. Ongoing sanitary sewage servicing improvements in Grand Bend and Forest as well as consultation and implementation of recommendations from organizations such as the University of Guelph's Arkell Centre, will help improve water quality in receiving watercourses and minimize the potential adverse impacts of septic tanks and tile beds on surface and groundwater, including Lake Huron
- To ensure stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces. Policies for stormwater management are included in Section 13.4
- To restrict development and site alteration in or near sensitive surface and groundwater features, so the features and hydrologic functions are protected, improved or restored. Mitigation measures and alternative development approaches will be required as part of the development approvals process.

3.10.1 Areas Susceptible To Groundwater Contamination

The Lambton County Groundwater Study (2004) assessed existing groundwater conditions and recommended management and protection strategies to maintain the quantity and quality of groundwater, both as a supply of potable water for current and future generations and to protect the water resource ecosystem. Most of Lambton County was found to have a low susceptibility to groundwater contamination, however approximately half of the aquifers identified as the most vulnerable to contamination in Lambton County are located in Lambton Shores. Highly vulnerable areas include the surficial and gravel aquifers in the Grand Bend to Port Franks area and exposed bedrock areas at Kettle Point and Arkona, in the Ausable River valley.

"Areas Susceptible to Groundwater Contamination", as identified in the groundwater study include Highly Vulnerable Aquifers (HVAs) and Significant Groundwater Recharge Areas (SGRAs) and are shown on **Schedules B and C**. The following principles apply to this area:

The Municipality will promote:

- Better enforcement of the many existing rules relevant to groundwater protection. Examples include Federal and Provincial legislation and regulations, such as the

Fisheries Act, Building Code, *Nutrient Management Act*, *Environmental Protection Act*, the *Ontario Water Resources Act* and the many acts and regulations that apply to oil and gas wells, pesticides, spills, aggregates, etc., etc.

- Co-ordination of activities among government and agencies. Many water protection goals can be achieved by the combined efforts of Federal departments, Provincial Ministries, municipalities, conservation authorities, agricultural associations, health units and building departments
- A strategy for continuous improvement to groundwater. The development of Source Water Protection Plans under the *Clean Water Act* and Lambton Shores on-going groundwater monitoring protection program will aid in the continuous improvement process
- The establishment of regulatory program for Septic System Re-Inspection Program required under the *Ontario Clean Water Act*.

The Conservation Authorities have special responsibilities as lead source protection authorities through the *Ontario Clean Water Act, 2006*. In this regard decisions made under the *Planning Act* and *Condominium Act* shall conform to the significant drinking water threat policies and have regard for low and moderate threat policies within the Source Protection Plans. There are two Source Protection Plans that apply within Lambton Shores being the Thames-Sydenham and Region Source Protection Plan and the Ausable Bayfield Source Protection Plan. Source protection policies of Provincial policies and plans shall also apply and should complement the specific policies of the Source Protection Plans. In this regard, the following policies apply to “Areas Susceptible to Groundwater Contamination”:

3.10.2 Vulnerable Areas

- Vulnerable areas identified in the Source Protection Plans regarding Lambton Shores are identified on Schedules B and C and include Intake Protection Zones (IPZs), an Event Based Area (EBA), Highly Vulnerable Aquifers (HVAs), and Significant Groundwater Recharge Areas (SGRAs). IPZs are significant drinking water threat areas. HVAs and SGRAs are low or moderate threat areas and are also vulnerable areas as defined by provincial policy.
- The Intake Protection Zone (IPZ) illustrates where surface water is coming from to supply municipal intake at a water treatment plant and how fast it is traveling toward the intake. A total of four zones are identified:

- IPZ-1 is a 1 km radius around the intake or up to 120 m buffer on land.
 - IPZ-2 is the area within which surface water could reach the intake within two hours.
 - IPZ-3 is the area within each surface water body through which contaminants released during an extreme event may be transported to the intake.
 - An Event Based Area is where modelling has determined that a specific threat (fuel) poses a risk to an intake including areas both in the IPZ-3 and beyond.
- There are three intake areas that affect Lambton Shores: firstly, a surface water intake in proximity to the Chippewas of Kettle and Stony Point First Nation and secondly, the Petrolia Bright's Grove intake both shown in the Thames-Sydenham and Region Source Protection Plan and thirdly, is an IPZ-2 in proximity to an intake to the east of South Huron identified in the Ausable Bayfield Source Protection Plan.
 - Lambton Shores has a variety of soil types that filter water from the surface and protect the underlying aquifers. Depending on the soil type and soil depth these features can make the underlying aquifer very vulnerable to surface contaminants. These areas are called Highly Vulnerable Aquifers.
 - Areas where the gravel deposits or soil features (such as sink holes) that allow a significant amount of rain or snow melt to infiltrate down into the ground water are called Significant Groundwater Recharge Areas and can contribute to the quantity of groundwater available.

3.10.3 Activities and Uses Requiring Review for Potential Adverse Groundwater Impacts

- Lambton Shores shall protect, improve or restore the quality and quantity of water by implementing necessary restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas; and protect, improve, or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions, pursuant to the Provincial Policy Statement (2020).
- Lambton Shores may require reports or technical studies to be prepared by a qualified professional as part of any planning application to identify, assess, and mitigate any potential impacts within vulnerable areas. These studies may include, but are not limited to planning justification reports, chemical storage disclosure reports, hydrogeological studies and spill prevention, spill contingency, and emergency response plans.

- Any use or activity that is, or may be, a significant drinking water threat in the location it would occur is required to conform to applicable Source Protection Plan policies, which may prohibit, regulate, or otherwise restrict the use or activity if a planning application is submitted:
 - within an IPZ area for a non-residential land use; or,
 - within an EBA for a commercial, industrial, or agricultural land use, the planning application shall not be deemed complete until the proponent provides a Section 59 Restricted Land Use Notice issued by the risk management official under the *Clean Water Act*, 2006.
- To protect aquifers from contamination (quality) or depletion (quantity), the Municipality will consider the location of HVAs and SGRAs when making planning decisions. The Municipality may restrict and/or direct development away from vulnerable areas, where there is a potential for contamination, depletion, or other negative impacts.
- Development should not be permitted that would adversely affect the quality or quantity of water with respect to existing wells, surface water, or ground water features. Specifically, development must comply with the Source Protection Plans, and must not impair the quality or quantity of groundwater and other water sources as identified in the Source Protection Plan.

3.10.4 Prohibited Uses

Commercial and industrial uses involving in ground fuel or chemical storage or the handling of toxic or other hazardous materials.



AGRICULTURAL



4. AGRICULTURAL

4.1 Goals and Objectives

A key goal of the Official Plan is the long-term preservation of the prime agricultural area (see definition, Section 2.6), especially speciality crop areas for agricultural use. The Official Plan protects this land base from incompatible uses that limit the flexibility and viability of farm operations over time. Efficient and compact urban development in settlement areas, as provided for in the Plan, is a key to helping protect the agricultural land base.

The Plan's objectives for the Agricultural Area are to:

- ensure the continued viability of the agricultural industry, including agricultural uses, agriculture-related uses and on-farm diversified uses;
- ensure that conflicting uses are not established in farming areas;
- prevent the loss of agricultural lands, through the creation of competing and incompatible uses and farm fragmentation.

Lambton Shores' Agricultural Area covers most of the Municipality's land area. A high proportion of Lambton Shores' agricultural area consists of Soil Classes 1 and 2, as classified by the Canada Land Inventory of Soil Capability for Agriculture. The most predominant agricultural activity is the production of cash crops, followed by livestock and poultry production.

The Thedford Bog is a Provincially Significant specialty crop area that has played an important role in the history and development of the Municipality. Other specialty crop lands include old glacial lake shorelines and sand deposits throughout the Municipality capable of supporting orchard crops. Examples include lands used for apple production near Arkona and a small area in West Bosanquet suitable for tender fruit production. Lambton Shores supports the "Right to Farm" concept and priority will be given to agricultural uses over other land uses in the Agricultural Area

4.2 Permitted Uses

The following uses are permitted on lands designated for “Agriculture”:

- agricultural uses (see definition, Section 2.6). All types, sizes and intensities of agricultural uses and normal farm practices³ shall be promoted and protected;
- farm residences and accommodation for full-time farm labour (when justified by the size and nature of the operation) are permitted. The severance of new lots for additional on-farm residences, including accommodation for farm labour is not permitted;
- on-farm diversified uses (see definition, Section 2.6) owned and operated by the farm owner/operator. The severance of new lots for uses of on-farm diversified uses is not permitted;
- agriculture-related uses (see definition, Section 2.6). Examples include grain dryers, feed mills, grain and seed storage facilities, agricultural products and produce processing facilities, bulk farm supply dealers and livestock assembly areas. New secondary and agriculture-related uses must be limited in scale and compatible with, not hinder, agricultural operations. Uses not requiring a location in the Agricultural area will be directed to settlement areas.
- the following existing uses are permitted in the “Agriculture” area:
 - existing residential uses;
 - existing recreational and open space uses, including golf courses and cemeteries;
 - existing commercial and institutional uses. New uses of this type are not permitted unless they are agriculture-related or on-farm diversified uses, consistent with the policies of this Section; and
 - existing mineral aggregate and petroleum resources extraction operations in accordance with Section 17.5 and 17.6 of this Plan. An Official Plan Amendment is required for any new aggregate operations.
- a new single-detached non-farm dwellings is permitted to be constructed on vacant lots of record existing on the date of adoption of this Plan, and held in distinct and

³ Normal farm practices create odours, noise and dust from livestock and heavy machinery, in early morning and late evening, especially during planting and harvesting. As defined in the *Farming and Food Production and Protection Act, 1998*, normal farm practices are conducted in a manner consistent with proper and acceptable customs and standards or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under the act.

separate ownership from abutting lands, provided that the lands have not previously been rezoned to prohibit the establishment of a new residential dwellings as a condition of approval pertaining to the severance of a residence surplus to a farming operation as a result of farm consolidation, subject to the following conditions:

- the lot is suitable for residential construction;
 - the lot meets the requirements of the Province, the County and the Municipality for sewage disposal;
 - the new dwelling is connected to municipal water, where available;
 - the lot is located in conformity with the Minimum Distance Separation formulae (see Section 4.9) and does not adversely impact surrounding agriculture activities;
 - direct access is available from an improved year round public road and the access does not result in traffic hazards due to poor sight lines or proximity to an intersection; and
 - where access is available to a public road across an abandoned railway line it shall be accepted as access to an improved public road.
- Cannabis production is permitted in the Agriculture designation when grown in a greenhouse (relying primarily on natural light for growth) or by outdoor cultivation in accordance with the normal farm practices under the *Farming and Food Production Protection Act, 1998*. The establishment of such uses shall be subject to Site Plan Control and shall address matters identified in Section 7 of the Official Plan, as applicable in the Agricultural designation. The growing of cannabis in an alternate format shall not be permitted within the Agricultural Designation.

4.3 Policies

The following policies apply to lands designated “Agriculture”:

- To ensure continued farm viability and avoid the fragmentation of farmland, the minimum lot size for agricultural uses shall generally be 40 hectares. Leasing of land may be considered for operations requiring smaller farm parcels, such as speciality crop production. Lambton Shores encourages the consolidation of undersized parcels with adjoining farms.

- No new livestock operations are permitted adjacent to lands designated for development in settlement areas, unless such operations can comply with the MDS. The Zoning By-law will identify areas subject to this policy.
- Existing livestock farms are encouraged to prepare a Nutrient Management Strategy and Plan and ensure they have adequate manure storage in the interests of proactive groundwater and surface water protection. The improper storage and disposal of manure is potentially a violation of the *Ontario Environmental Protection Act*, *Ontario Water Resources Act* and the *Federal Fisheries Act*.
- All new lots and land uses in the “Agricultural” area and any new or expanding livestock facilities shall comply with the minimum distance separation (MDS) formulae (see Section 4.9), developed by the Province to reduce odour concerns from livestock operations. The MDS must be satisfied prior to the issuance of a building permit.
- Prior to the issuance of a building permit, for a new or expanded livestock operation the following requirements shall be met:
 - prepare a Nutrient Management Strategy and Plan;
 - demonstrate that the farm has adequate manure storage capacity;
 - satisfy the requirements of the MDS and established setbacks from subsurface drains, water wells and surface and groundwater. Groundwater protection measures are required in “Areas Susceptible to Groundwater Contamination”, as designated on Schedule C;
 - demonstrate the suitability of the proposed site for a livestock barn and/or nutrient storage facility; and
 - Conservation Authority Approval is required if in an area regulated by the authority.
- Existing livestock farms are encouraged to prepare a Nutrient Management Plan and ensure they have adequate manure storage in the interests of proactive groundwater and surface water protection. The improper storage and disposal of manure is potentially a violation of the *Ontario Environmental Protection Act*, *Ontario Water Resources Act* and the *Federal Fisheries Act*.
- The following types of severances are permitted:

- The creation of new farm lots provided the severed and retained lots meet the Plan's minimum farm size and are large enough to support a viable farm, considering the land's soil and drainage characteristics.
- Lot adjustments in prime agricultural areas for legal or technical reasons, including but not limited to those necessary to increase the size of a non-farm lot to accommodate private services, provided that all non-farm lots will be limited in size so that a minimum of land is taken out of agricultural production to accommodate the use and expected current and future needs with respect to water supply and sewage disposal.
- The creation of a new lot for an existing farm residence rendered surplus to a farming operation (see definition, Section 2.6), as a result of farm consolidation, subject to the following conditions:
 - The retained farm parcel must be zoned to prohibit the construction of a new dwelling;
 - MDS separation requirements (see Section 4.9) must be met;
 - The severed lot shall be the minimum size needed to accommodate the residential use and servicing (see Section 19.8.1);
 - The retained lands must include a minimum of 19 hectares of workable land;
 - A dwelling shall be eligible to be severed only if it already existed when the farm parcel on which it is located was consolidated into the farm operation;
 - A dwelling shall be eligible to be severed only if it is greater than 12 years old;
 - No dwelling shall be severed that serves as the primary residence of an owner or full-time employee of the farming operation;
 - The applicant must be a person who's primary residence is located on another farm parcel in the farming operation;
 - No dwelling shall be severed that has become surplus as the result of the construction of a new primary residence on another parcel in the farm operation; and
 - Where special permission has been given to construct a second farm dwelling on a parcel, none of the dwellings on the parcel shall be severed.
- The creation of a new lot for permitted agriculture-related uses, subject to the following provisions:

1. The use is compatible with, supports agriculture, and shall not hinder, surrounding agricultural operations;
 2. The use is appropriate to available rural services (e.g., do not require the level of road access, water and wastewater servicing, utilities, fire protection and other public services typically found in settlement areas);
 3. The use is in keeping with the agricultural/rural character of the area;
 4. That applicant demonstrates that the use meets or is capable of meeting and receiving all applicable provincial air emission, noise, water and wastewater standards and all relevant environmental approvals;
 5. The use is directly related to and benefits from being in close proximity to farm operations in the Municipality of Lambton Shores;
 6. The proposed use provides direct products and/or services to farm operations as a primary activity;
 7. The parcel is limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
 8. The use shall minimize the amount of land taken out of agricultural production and be located on the least productive land, where possible, and shall not be located in a specialty crop area.
- On-farm diversified uses are encouraged based on the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas to provide farmers greater opportunity to obtain additional sources of income and to promote entrepreneurship, innovation, and business incubation. Such uses will include home-occupations, home-industries, agri-tourism, and uses that produce value-added agricultural products from the farm operation. The following matters shall be considered in determining the appropriateness of on-farm diversified uses:
 - the protection of the rural character and the long-term agricultural viability of the site and area;
 - the types and scale of the uses that are permitted, especially for uses not directly related to agriculture;
 - the need to ensure that the activity is limited in area and secondary to the main farm operation;
 - the need to ensure the use will be compatible with and not hinder surrounding agricultural operations; and

- locating the activity to minimize the loss of lands in agricultural production.
- The Municipal Zoning By-law will regulate matters pertaining to type and scale of on-farm diversified uses. On-farm diversified uses will not be permitted to expand beyond a size appropriate for an agricultural area and in such cases shall be encouraged to relocate to a commercial or industrial area of the Municipality. Lot creation is not permitted for on-farm diversified uses.
- Through the comprehensive review of the Municipal Zoning By-law, the Municipality of Lambton Shores shall determine and develop appropriate standards for agriculture-related and on-farm diversified uses that shall be permitted “as-of-right” within the Agricultural Area. Additional agriculture-related and on-farm diversified uses may be considered through rezoning or minor variance where they meet the intent of this Plan.

4.4 Environmental Farm Management

Lambton Shores encourages farmers to employ farm management and stewardship practices that protect and enhance the natural environment. The following practices are encouraged:

- Conservation tillage and other cultivation methods to minimize erosion.
- Where agriculture abuts natural heritage features the following buffers are encouraged:

Feature	Minimum Suggested Buffer Width	Buffer Composition, Uses Discouraged
All Municipal Drains and Warmwater Drains and Watercourses (Classified as Types B, C and E by ABCA/SCRCA and DFO, shown as watercourses on Schedules)	3 metres from top of bank	Natural, native vegetation. No impervious services, septic tanks, holding tanks, lawn mowing, crops, livestock watering or grazing
Cold/Cool Water Drains and Watercourses (Classified as Types A and D by ABCA/SCRCA and DFO, shown as	120 metres	Natural, native vegetation. Crops allowed if Environmental Farm Plan in place. No impervious services, septic tanks, holding tanks,

“Significant Fisheries” on schedules)		lawn mowing, livestock watering or grazing
Significant Habitat of Endangered and Threatened Species (general locations indicated as “SAR Present” on Schedules)	100 metres	To be determined by a site specific EIS
Woodlots (designated as “ESA” or “Natural Environment” on Schedules)	120 metres beyond the dripline of trees to protect rooting zone	Natural, native vegetation. Crops allowed if Environmental Farm Plan in place. No impervious surfaces, septic tanks, holding tanks or lawn mowing
Wetlands (designated as ESA or PSW on Schedules)	120 metres for water quality benefits. Ratio of 3:1 of upland to wetland habitat area for protection of small wetlands	Natural, native vegetation. Crops allowed if Environmental Farm Plan in place. No impervious services, septic tanks, holding tanks, lawn mowing, livestock watering or grazing

- Re-establishment of natural features, such as wetlands, ponds, etc., where feasible.
- Livestock access to watercourses should be restricted. Livestock access causes bank erosion, leading to wider, shallower watercourses, nutrient enrichment and increases water temperature. Livestock grazing in woodlots is also discouraged.
- Proper construction of drainage tile outlets to minimize erosion and sedimentation of watercourses.
- Proper storage, handling and disposal of pollutants and proper application of fertilizers and herbicides to minimize chemical run-off.
- Prepare and implement Nutrient Management Strategies and Plans in accordance with the *Nutrient Management Act*. The use of earthen manure storage facilities is strongly discouraged.

Farmers are also encouraged to develop Environmental Farm Plans, as outlined in Section 3.6, Stewardship Programs.

4.5 Agricultural Organizations

Many agricultural organizations, endorsed by the Ontario Ministry of Agriculture and Food and Rural Affairs, are active in Lambton County and Lambton Shores. The Municipality supports the initiatives of these groups and may establish an Agricultural Advisory Committee to engage farmers and provide input to Council on agricultural issues.

4.6 Woodlots

It is the policy of the Municipality that development in wooded parts of the Agricultural Area, including all major woodlots, be discouraged. Land severances for non-farm related uses and amendments to the Zoning By-law to permit non-farm uses will generally not be allowed.

This Plan recognizes the importance of trees to agriculture due to their wind protection and moisture holding capabilities. Existing woodlots will be protected in accordance with the Lambton County Woodlands Conservation By-law that regulates the cutting of certain trees and woodlots.

This Plan encourages reforestation and conservation of woodlots.

4.7 Thedford Bog

The area designated “Thedford Bog” on **Schedule A** is a Provincially Significant speciality crop area suitable for vegetable growing, also known as the Thedford Marsh. The bog was a shallow bay of glacial Lakes Algonquin and Nipissing where a great deal of marl was deposited and now in part contains peat beds. It consists of fragile organic soils vulnerable to erosion and oxidation. In addition to being a Provincially Significant agricultural area, the bog is also an ESA.

The Thedford Bog was formed when the Ausable River Cut (“The Cut”) was constructed at Port Franks between 1873 and 1876. The purpose of The Cut was to stop flooding of the Ausable River and drain Lake Burwell and Lake George. The draining of the lakes exposed extensive flats of black silt loam. The land was quickly claimed and became known as the “celery beds” of Thedford. Unfortunately, the new drainage system caused

the deep harbour at Port Franks to silt in. Lake Smith was drained in 1958, causing further lowering of the area's water table.

The bog is part of the Thedford-Klondyke floodplain located below the regulatory flood elevation. It is also part of a "Special Policy Area" as defined by the PPS, based on the historic agricultural related and residential development in the area. For thousands of years, the bog has been part of a migratory flyway for birds, including many species of ducks, geese and tundra swans.

An important goal of the Official Plan is the long-term preservation of this area for agriculture as a speciality crop area. The following policies apply:

- Agricultural uses (with the exception of livestock operations), secondary uses and agriculture related uses, as defined in Section 2.6 for lands designated "Agriculture", are permitted in the Thedford Bog.
- Existing residential uses, including farm and non-farm residences, are permitted.
- New farm residential uses may be permitted subject to flooding concerns being addressed. New non-farm dwellings are not permitted.
- A minimum farm size of 40 hectares is required. Leasing is suggested as an alternative for farm operations requiring less land. No land severances are permitted due to the existing fragmented land area.
- On lands within an area formerly subject to an aggregate pit license and described as Concession C, Part Lot 2, RP 25R686 Part 2, known municipally as 9899 Klondyke Road, a new non-farm dwelling shall be permitted subject to any required Conservation Authority approvals and provided the house is not located within any woodlot or areas that have been actively farmed during the life of the aggregate pit license. **(OPA No.1)**
- Buildings and structures for secondary uses or uses accessory to agriculture are permitted provided they are floodproofed to the satisfaction of the Ausable Bayfield Conservation Authority.
- The construction of building and structures, site alteration and the placing or removal of fill requires the approval of the Ausable Bayfield Conservation Authority.
- Erosion of the bog's fragile soils results in water quality problems. Management techniques to minimize erosion, such as cover cropping, water level management and

other soil and water conservation practices are required in the bog. Farmers are encouraged to prepare Environmental Farm Plans.

As mentioned, the Thedford Bog is also an “Environmentally Significant Area”. The policies included in Section 3 for ESA’s also apply to the bog. Woodlot clearing is not permitted, but selected harvesting of mature trees is encouraged to promote proper growth and development of young trees.

4.8 Other Land Uses in Agricultural Area

4.8.1 Hamlets

Lambton Shores includes a few small hamlets, such as Ravenswood, Jura and Kinnaird. These hamlets are limited to existing uses and minor residential, commercial and institutional infill development, with development constrained by the lack of municipal sanitary sewage treatment services. No new lot creation, multi-lot/unit development or subdivisions are permitted. In Ravenswood, no direct access is permitted to Highway 21. Access to County Roads must be approved by the County.

4.8.2 Residential Special Policy Area

The “Residential Special Policy Area” in the Agricultural Area applies to existing residential subdivisions along the southern section of the Ausable River “Cut”, including the Defore Acres Subdivision. These subdivisions are subject to flooding. Policies for these areas are included in Section 5.6 of the Official Plan. No new subdivisions are allowed in the Agricultural Area.

4.8.3 Natural Heritage System

The Agricultural Area includes many of the Municipality’s significant natural heritage features, as shown on Schedules A and A1 to A8. Policies for the protection of these features are included in Section 3 of the Official Plan.

4.8.4 “Extractive” and “Former Waste Disposal Sites”

Policies for these areas are included in Section 11 and Section 16 of the Official Plan.

4.8.5 Archaeological and Built Heritage Resources

Archaeological and Built Heritage Resources in the Agricultural Area are shown on Schedule D and subject to the policies included in Section 14 of the Official Plan.

4.8.6 Lambton County Trail System

The Municipality encourages the extension of the Lambton County Trail System throughout the Agricultural Area to link the existing sections of the trail. Opportunities to extend the trail will be determined as part of development, infrastructure and public service facilities projects.

4.8.7 Conserving the Agricultural Landscape

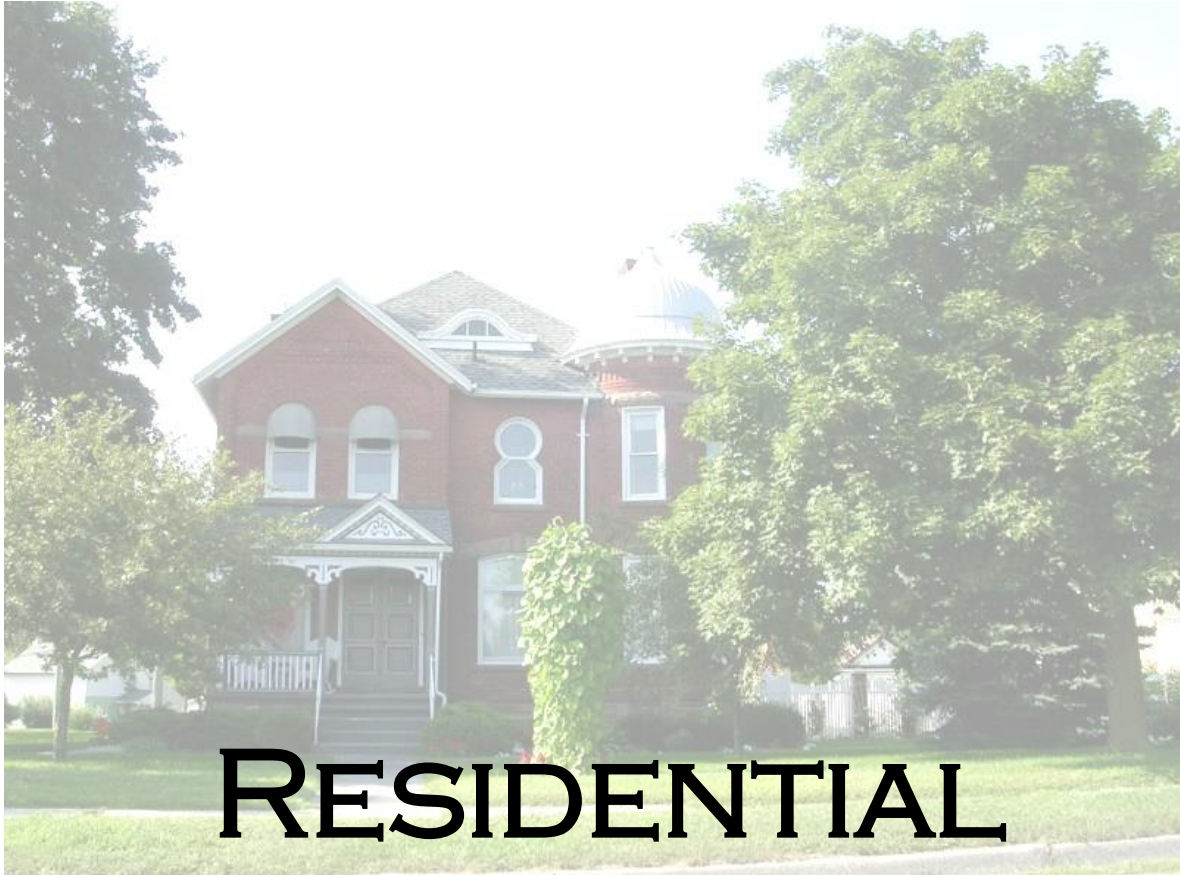
The picturesque agricultural setting of Lambton Shores is one of its «significant features. The Agricultural landscape is comprised of many components, including farms, rural settlements, cultural features, the farm-forest landscape, recreational uses, resource extraction landscape and natural features. The Official Plan includes the following policies to deal with the challenges and conflicts facing this landscape:

- Urban type development is restricted to urban centres, including Forest, Grand Bend, Arkona and Thedford.
- Pressures on farmers to sell for future development also undermine the landscape. To avoid this, the Official Plan clearly defines lands required for development over the next 20 years and beyond.
- Trends in retailing that favour large-format stores over locally owned stores and traditional general stores. Uses of this type are directed to appropriate commercial areas.
- The growing demand for recreational facilities, including golf courses, is regulated by the Official Plan. New uses of this type require an amendment to the Plan.
- The development of non-farm residences. New non-farm residences are not permitted in the Agricultural Area, except as outlined in Section 4.2 of the Official Plan.
- Finally, the development of new plans of Subdivision in the Agricultural Areas is not permitted by the Official Plan.

4.9 Minimum Distance Separation Formula

- New land uses, including the creation of lots and new or expanding livestock facilities and anaerobic digestors shall comply with the Minimum Distance Separation (MDS) formulae.
- MDS will be applied in all Agricultural Areas in the Municipality of Lambton Shores and to Official Plan amendments which would establish non-Agricultural uses within the Agriculture Area or permit the expansion of a settlement area boundary.
- The municipal comprehensive zoning by-law shall incorporate and implement the Minimum Distance Separation formulae consistent with the requirements and guidance contained in the Provincial Minimum Distance Separation Formulae Implementation Guidelines.
- MDS I shall be applied to development of existing lots of record, however an existing habitable building may be replaced despite not complying with MDS I, provided the lot existed prior to March 1, 2017, the existing separation is not reduced, and the replacement use is not a more sensitive land use type (Type B versus Type A Land Use, as defined by the Provincial Implementation Guidelines).
- MDS II setbacks are not required for livestock facility reconstruction provided the separation is not reduced, Factors A, B, and D do not increase, and the relative odour potential of the manure storage is no greater than that of previous manure storages.
- The Zoning By-law will identify those cemeteries that are considered Type A land uses for the purposes of MDS II.
- Where the zoning by-law permits agriculture-related or on-farm diversified uses as-of-right, it may specify circumstances or categories of such uses that are subject to MDS. Where Planning Act approvals are required, including the severance of an agriculture-related use, consideration shall be given to whether MDS setbacks should be applied, having regard for the Provincial MDS Implementation Guidelines, the activities associated with the proposed agriculture-related or on-farm diversified use, and the potential for conflict related to livestock facilities.
- MDS I shall apply to the creation of new non-agricultural uses, but not to the severance of existing non-agricultural uses, where that is permitted.

- Notwithstanding the preceding policy, MDS I setbacks shall apply to the severance of an existing farm dwelling onto a residential lot (where that is permitted), whether or not the dwelling is already located on a separate lot from a livestock facility or anaerobic digester.
- MDS I shall apply to the creation of a new farm parcel; however, if the new farm parcel contains an existing dwelling, MDS I shall only apply with respect to a livestock facility or anaerobic digester that was not already on a separate parcel from the dwelling.
- MDS setbacks should not be reduced except in limited site specific circumstances that meet the intent of the MDS. The Municipality may consider reductions in the MDS requirements where application of MDS is optional under the Provincial Implementation Guidelines or in circumstances that mitigate environmental or public health and safety impacts or avoid natural or human-made hazards.



RESIDENTIAL



5. RESIDENTIAL

5.1 Communities and Neighbourhoods

Lambton Shores' residents place a high value on their communities and neighbourhoods and the protection of community/neighbourhood character. The type and density of residential development, natural heritage features, open spaces, community facilities and the mix of land uses all contribute to the character and function of communities and neighbourhoods. The Official Plan meets the Municipality's needs for housing through the protection and maintenance of existing communities and the development of new neighbourhoods that are planned and designed to reflect and preserve Lambton Shores' best features. New developments are encouraged to be compatible with surrounding existing neighbourhoods and provide for a transition between existing lower density neighbourhoods and possible future higher density developments.

The Municipality has an inventory of residential land to meet Lambton Shores' housing needs for 25 years and beyond. It also maintains at least a five year supply of serviced land. A full range of housing types and densities are to be provided to meet the existing and future needs of residents, including housing for special needs.

5.2 Residential

The policies included in this section apply to lands designated "Residential". Generally new lot creation and residential development is directed to lands where full municipal services are provided. See Section 13.3 for Water and Sanitary Servicing Policies.

5.3 Permitted Uses and Densities

- Future residential development in Lambton Shores will consist of:
 - Predominantly low-density development, including single and semi-detached dwellings, duplexes, triplexes, modular homes, additional residential units in accordance with provisions under the *Planning Act*, and garden suites where additional residential units cannot be accommodated. The density of low-density development will generally not exceed 25 units per hectare gross (10 units per acre gross) not including additional residential units and garden suites.
 - Medium density development, consisting of townhouses, cluster houses, triplexes, and low-rise multiple dwellings (apartment buildings), is permitted provided densities generally not exceed:

1. 40 units per hectare gross (16 units per acre gross) for townhouses and cluster houses; and
2. 72 units per gross hectare (30 units per acres) for low rise multiple dwellings (apartment buildings).

These densities have been historically established and are reflective of past official plan policy.

- High density residential development may only be permitted in Lambton Shores through an Official Plan amendment, and such development must be compatible with surrounding residential uses and have appropriate regard to Section 15.2 Urban Design Principles and Guidelines of this Plan.
- To achieve a compact urban form, the Official Plan has a “target density” of 17 units per hectare gross (7 units per acre gross). The densities included in this section are based on the assumption that full municipal services are provided, including water and sanitary sewage treatment.
- Compatible land uses serving the needs of local residents are also permitted in the “Residential” area. These uses include:
 - public and institutional uses, such as elementary and secondary schools, libraries, municipal buildings, places of worship and day-care centres. These uses should be located on Collector or Arterial roads;
 - neighbourhood parks, public recreational uses and multi-use trails;
 - convenience commercial uses on sites not exceeding 0.4 hectares;
 - home occupations and bed and breakfast establishments as secondary uses; and
 - accessory buildings and structures.
- Supportive and affordable housing is permitted to locate in all “Residential” areas, or areas where residential uses are permitted. Matters pertaining to scale, density and character shall be regulated by the zone requirements of the applicable zoning category. Where the municipality undertakes or provides funding for supportive and affordable housing initiatives such housing shall be considered in regard to Section 5.8 of this plan.
- Garden Suites (Granny Flats)
Garden suites are portable, one-unit accessory residential dwellings that take the form of a small building. They are physically separate from the principal dwelling unit and have independent kitchen and bathroom facilities. Garden suites may only be considered on lands where additional residential units cannot be accommodated.

- New mobile home parks are not permitted in Lambton Shores.

5.4 Land Use and Design Policies

The following policies apply to “Residential” areas:

- All new large scale development will be on municipal sewage services (see definition, Section 2.6) and municipal water services (see definition, Section 2.6). However, Council may consider the use of private communal services subject to Section 13.3.
- New subdivision development is not permitted in North Bosanquet, until the following is prepared in a comprehensive format acceptable to the Municipality:
 - Development and Phasing Plan;
 - Servicing Strategy; and
 - A plan ensuring that the costs and revenue regarding the long term servicing such new development is fiscally appropriate.
- New development will consist of extensions to the existing built-up area to encourage compact development and minimize infrastructure extensions.
- New development/uses will be compatible with the scale, density and character of existing surrounding land uses.
- Preference will be given to residential intensification, infilling and redevelopment of under-utilized lands and obsolete uses over the development of “greenfields”. Intensification, etc. must not adversely affect surrounding uses. It is a goal of this Plan that 20% of the new housing units provided in the Municipality be provided through intensification and redevelopment. Intensification may include encouraging the creation of infill lots, directing housing to vacant lots in existing residential areas, the conversion of existing buildings for residential purposes, redevelopment of sites not previously used or underutilized for residential purposes, and higher densities in new development, permitting rooming, boarding and lodging houses where appropriate. The Municipality may adopt Secondary Plans and Community Improvement Plans to encourage appropriate intensification that establishes, protects or enhances neighbourhood character.
- Redevelopment in depth of the older residential areas, east and west of Ontario Street South and north of Lakeview Avenue in Grand Bend is anticipated over the lifetime of the Plan. Regard shall be had for natural heritage and hazard features and archaeological potential. Development that would hinder efficient, co-ordinated developments shall not be permitted. The Municipality may prepare a Secondary Plan to encourage appropriate and compatible intensification and servicing in these areas.

- Alternative development standards, such as reduced rights-of-way widths for public roads, will be considered for redevelopment of existing urban areas.
- Additional residential units are permitted in single and semi-detached dwellings and townhouse dwellings and related accessory buildings “as of-right”, in accordance with provisions under the *Planning Act*, to promote an adequate supply of housing and efficient use of infrastructure. The Municipality may develop zoning provisions regarding the following to ensure that the inclusion of additional residential units does not adversely impact the character of established residential areas:
 - Ensure compatibility regarding massing, lot coverage, height and setbacks;
 - Minimization of the prominence of parking facilities; and
 - Ensure that appropriate landscaped open space including soft landscaping is available; and
 - Limit privacy and overlook issues on adjacent properties.

The Municipality encourages and will consider the following in deciding on planning applications, and may consider incentives to address the following matters regarding additional residential units:

- Accessible design features;
- Provision of affordable housing; and
- Sustainable design features including green roof areas, solar panels and other similar technologies.

In areas without full municipal services, not considered to be a parcel of urban residential land as defined in the *Planning Act*, only one additional residential unit may be permitted on a lot, and only if natural heritage and hazard considerations are addressed and there is sufficient lot area and suitable soil characteristics for private sewage disposal.

- Large developments should include a mix of housing types, designs and densities, including low income housing, and provide for connection to existing/future multi-use trails.
- The Municipality encourages innovative housing designs, particularly those that are LEED[™] certified. The incorporation of the existing tree cover and built heritage resources into new developments is also encouraged.
- All new development (see definition, Section 2.6) must comply with the community’s Community and Site Design policies and are subject to the Plan’s policies for Subdivision and Site Plan Control, as applicable.

- The Zoning By-law should set “as-of-right” provisions to ensure that accessory buildings are appropriate regarding size, character, and use that is consistent with residential areas. Changes to these provisions should consider scale, character, requirements for privacy screening, shadowing, proposed use, and the ability to mitigate impacts effectively through conditions of approval, as appropriate in the context of the surrounding residential area.
- All new residential development will be subject to Subdivision and Site Plan control, except as exempted in Section 19.9 and may be required to prepare a Sustainability Plan, as outlined in Section 15.1.5.
- New development adjacent to Environmentally Sensitive Areas (ESAs) requires an Environmental Impact Statement (EIS), based on the potential presence of Species at Risk (SAR) species. Section 3.5 includes the Official Plan’s requirements for the preparation of an EIS.
- The 23 metre treed buffer for the subdivisions along Highway 21 must be maintained in the North Bosanquet and Grand Bend Planning Area.
- A noise assessment may be required for residential development adjacent to Highway 21 in keeping with the health and safety requirements of the *Planning Act* and Section 1.2 of the Provincial Policy Statement (PPS 2020).
- Permission will be required from the Conservation Authority for new development and infilling on lands subject to the Authority’s regulations. Additional dwelling units shall not be permitted within natural hazard areas (e.g. flood hazard areas, unstable lands, etc.).
- Compliance with the MDS formula is required for any new residential uses adjacent to agricultural areas except where those uses are within existing residentially-designated lands.

5.4.1 Affordable Housing

- Secure, long-term housing including the provision of affordable housing is an important foundation for quality of life and component of community development.
- The Municipality encourages the creation of affordable housing through the private sector, non-profit and co-operative groups.
- The Municipality may adopt and implement Community Improvement Plans (CIPs) or other planning tools that encourage the provision of affordable housing.
- Affordable housing is encouraged to be integrated within the existing community in such a way as to minimize disruption and protect the physical character and vitality of established neighbourhoods.

Preference shall be for locations and communities that are in proximity to municipal goods and services, healthy food retailers, commercial areas, employment, medical and health facilities, recreation, transit, trails and non-motorized transportation, cultural nodes, downtown centres, employment opportunities, and other services and facilities necessary for the type of housing proposed.

5.4.2 Short Term Rentals (STRs)

This Plan permits STRs that either occupy the whole of a dwelling unit or are guest rooms in a bed and breakfast establishment, either of which are offered as temporary, short-term accommodations to the general public.

Regulation by the municipality shall be primarily through a municipal licensing by-law. Regulations will address, not necessarily limited to:

- Accommodations' conformity to current health and life safety standards.
- Mechanisms for dealing with noise and other complaints.
- Other than a bed and breakfast establishment, providing the renter exclusive use of kitchen and bathroom facilities within the dwelling unit.
- Adequate off-street parking.
- Occupancy limits, including consideration for number of bedrooms and available parking.

The Municipality will assess its STR regulations on an annual basis. The Municipality may amend the licensing or zoning by-law or establish other regulations if found necessary to ensure the orderly management of STRs, compatibility with surrounding land uses, and appropriate integration into the municipality's residential areas.

Bed and Breakfast Establishments are Short-Term Rentals in a primary or accessory dwelling unit where the Owner or Tenant is permanently residing while the Premises is being used or operated as a Short-Term Rental. Special provisions applying to bed and breakfast establishments include:

- Only persons permanently residing in the primary or accessory dwelling unit may operate a bed and breakfast establishment or offer guest rooms in the dwelling unit as STRs. Any other situation that offers short-term rentals on a room-by-room basis or for only a portion of a dwelling is prohibited.
- Guest rooms in detached structures shall not be permitted.

- Separate bathroom, kitchen, dining areas, and/or meals for guests may be provided, but establishment of a restaurant catering to persons other than STR guests is not permitted.
- The Zoning By-law may specify a maximum number of guest rooms. Bed and breakfast establishments and/or the number of guest rooms permitted may be restricted where additional residential units are located on the same property.

5.4.3 Residential Uses in Proximity to Stationery and Transportation Sources of Noise

Where appropriate, consideration may be given by the Municipality, at the Municipality's sole discretion, to the use of the Class 4 area classification for new residential development in proximity to stationary and transportation sources of noise, as provided for in the applicable Provincial environmental noise guideline (currently MECP Environmental Noise Guideline NPC-300) for a residential site (or sites).

The area (or sites) to be affected must be approved by Council or the relevant approval authority.

The use of Class 4 will only be considered by Council where it can be demonstrated that:

- a) the development proposal is for a new noise sensitive land use in proximity to an existing, lawfully established stationary noise source;
- b) the development proposal for a new noise sensitive use does not impair the long-term viability and operation of an employment use;
- c) it is in the strategic interest of the Municipality, furthers the objectives of the Official Plan and supports community building goals; and
- d) all possible measures of noise attenuation have been assessed for both the proposed development site and the stationary noise source, including, but not limited to, building design and siting options for the proposed new noise sensitive use;

Notwithstanding the above, the use of Class 4 will receive more favourable consideration if the stationary noise source is a temporary situation and it is expected that the stationary noise source will be removed through future redevelopment.

If Council supports the use of Class 4 for an area or site proposed for a new sensitive land use, proponents for noise sensitive land uses proposed in a Class 4 area shall, at a minimum, ensure that the following are addressed:

- 1) Appropriate noise impact assessments are conducted to verify that the applicable sound level limits will be met;
- 2) Noise control measures are completed or in place, including receptor and source-based measures, as may be required to ensure compliance with the applicable sound level limits at the new noise sensitive land use;
- 3) Enter into appropriate agreements with the Municipality (and any other relevant approval agencies), to confirm all relevant requirements have been met; and
- 4) Registration on title of any recommended noise mitigation measures, including appropriate noise warning clauses to notify prospective purchasers that applicable Class 4 (as per Guideline NPC-300) area sound level limits for the affected dwelling are protective of indoor areas and are based on the assumption of closed windows.

5.5 Servicing Policies

Policies for municipal services in “Residential” areas are included in Section 13 of the Official Plan.

5.6 Residential Special Policy Area

This designation applies to existing residential areas in Forest, Grand Bend and Port Franks and Agricultural Areas that are located in the flood fringe between the floodway (see definition, Section 2.6) and the regulatory flood level. These areas are subject to flooding, but at depths and velocities less severe than in the floodway. Known as Special Policy Areas in the PPS, these are areas that historically existed in a floodplain, (see definition, Section 2.6) but site specific policies approved by the Province allow existing uses to continue. The continuation of existing uses avoids the significant social and economic hardships to the community which would result through a strict interpretation of the PPS and Conservation Authorities’ flood and fill regulations.

The following uses are permitted in “Residential Special Policy Area:

- Existing residential uses, neighbourhood parks, public recreational uses and convenience commercial uses. All additions, expansions or extensions shall be

floodproofed (see definition of “Floodproofing Standard”, Section 2.6) to the satisfaction of the Conservation Authority.

- Existing Institutional use, essential emergency services or uses involving hazardous substances are not permitted
- Lots abutting a waterway may include boat slips, docks and boathouses, subject to ABCA approval
- Residential infilling on existing lots, provided all new uses are floodproofed. New lot creation or Plans of Subdivision are permitted provided the municipality and the Conservation Authority are satisfied that a hazard is not created and municipal water and appropriate means of sanitary sewage treatment are provided, except on land in the Agricultural area...
- Home occupations

In addition to the policies included in Section 5 for residential development, the following policies apply to “Residential Special Policy Areas”:

- All new uses and additions, expansions or extensions shall be floodproofed so that no opening in a habitable building or structure is at a level less than the applicable minimum flood elevation. Non-habitable detached garages and sheds should also be built in conformity to this policy.
- New uses and additions must not create new hazards.
- Portions of areas designated “Residential Special Policy Area” do not have access at all times during flooding. Access to new uses shall be designed to provide access during flooding.
- Flooding may be affected by changes in road elevations. The Municipality will ensure that all road and infrastructure projects in “Residential Special Policy Areas” do not exacerbate existing flooding problems.
- Residential Special Policy Area B in Port Franks, referred to as the Armstrong East and West Subdivisions, is a seasonal cottage area designated “Residential Special Policy Area B”. Accessible only by water, this area has no municipal services. Its dynamic dune system is very sensitive, even to pedestrian use. The following policies apply to this area:
 - Permitted uses include seasonal dwellings. The intensity of cottage use must reflect the limitation of individual on-site water service and (see definition, Section 2.6) individual on-site sewage services (see definition, Section 2.6) and the environmental sensitivity of this area. The Zoning By-law will place limits on the

intensity of use and include restrictions for floor space, number of bathrooms, accessory structures etc.

- No new lot creation is permitted. New dwellings are permitted on existing lots, subject to approval from the ABCA. Repairs, maintenance or interior alterations are permitted, but minor and major additions may require approval from the ABCA.
- No Municipal services will be provided in this area, including roads, water sewer or garbage collection. In addition, firefighting services will not be provided to the same standard as the rest of Lambton Shores.
- Residents may refer to the Stewardship Guide for the Lake Huron Coastline prepared by the Lake Huron Centre for Coastal Conservation (2006) for guidance on living on the dunes. Residents are encouraged to follow environmental protection measures that contribute to erosion control and dune stabilization measures.

5.7 Area Specific Residential Policies

5.7.1 Grand Bend Residential

An important objective of the Official Plan is to prevent the further degradation of the existing nationally significant dune succession/oak savannah ecosystem stretching along the lakeshore from Grand Bend to Kettle Point. The “Grand Bend Residential” designation is a special designation applying to the existing Plans of Subdivision developed on the ecosystem. This ecosystem provides habitat for provincially and nationally significant flora and fauna and includes many Species at Risk (SAR). Important objectives of the Official Plan are to protect the remaining tree cover and prevent further adverse impacts on the ecosystem, the Old Ausable Channel, Parkhill Creek and Pinery Provincial Park.

In addition to relevant policies for “Residential” areas, the following policies apply to the “Grand Bend Residential” area:

5.7.1.1 Permitted Uses

- Despite Section 5.3 the only residential uses permitted are low density residential uses, consisting of single and semi-detached buildings, duplexes, and additional residential units located within a single detached dwelling, at a density not exceeding 7.5 units per hectare gross (3 units per acre gross) (existing density of development in the Grand Bend residential Area). This lower density will help preserve the existing tree cover and natural environmental features.
- Other permitted uses as in Section 5.3, except for convenience commercial uses

5.7.1.2 Policies

- Severances of existing lots into smaller lots is not permitted to preserve existing trees and natural vegetation.
- Any new large scale development on lands designated “Grand Bend Residential” must be serviced with municipal sewage services or a private communal sewage system and municipal water services. Existing lots are permitted to be serviced with partial services (see definition, Section 2.6) being individual on-site sewage services and municipal water service.
- Since the Old Ausable Channel and Pinery Provincial Park are ESAs and provide habitat for SAR species, an Environmental Impact Study (EIS) is required for any development and site alteration on “adjacent lands”. An Ecological Buffer Zone will likely be required based on the findings of the EIS. This policy does not apply to the construction of a detached dwelling or addition to an existing detached dwelling on existing lots.
- The construction of a detached dwelling, an addition to an existing dwelling or the rebuilding of an existing dwelling on an existing lot abutting the Old Ausable Channel and Pinery Provincial Park are subject to the following additional policies:
 - No building or structure, including swimming pools, shall generally be permitted within 22 metres of the top of bank of the Old Ausable Channel or the boundary of the Pinery Provincial Park. The required 22 metre setback shall be maintained in a natural state and planted with native species.
 - A Tree and Natural Vegetation Preservation Plan shall be approved by the Municipality prior to the issuance of a building permit. Trees shall be removed only as necessary to accommodate a dwelling, accessory buildings or structures, driveways and private on-site sewage system.
 - The private on-site sewage system shall not be located within the 22 metre setback from the Old Ausable Channel and may require location in the front yard.
 - A minimum of 35% of the lot area must be maintained in a natural state to protect the Old Ausable Channel and maintain historic tree cover.
- New development adjacent to Parkhill Creek may also require an EIS based on the potential presence of SAR species. ABCA permission is required for any new development or infilling on lands regulated by the Authority.

- Plans of Subdivision/Condominium or Site Plans on lands designated “Grand Bend Residential” will include Tree and Natural Vegetation Preservation Plans to preserve the existing trees and natural vegetation. The Municipality may also ask developers to contribute towards the development of Stewardship Guidelines for living in environmentally sensitive areas. Section 3.6 of the Official Plan includes homeowner guidelines for the stewardship of residential uses in environmentally sensitive areas along the lakeshore.
- A minimum of 35% of the lot area of future new lots must be maintained in a natural state, unless an EIS shows that a lower percentage is justified.

5.7.2 Port Franks, Northville, and Ipperwash Residential

Port Franks and Ipperwash are also located within the internationally significant dune succession/oak savannah ecosystem along the lake from Grand Bend to Port Franks. ESAs located in Port Franks include the Port Franks Wetland and Forested Dune Complex, Karner Blue Butterfly Sanctuary, Lambton Heritage Forest and Thedford Conservation Area. The Ipperwash Dunes/Woodlot Complex ESA covers much of the Ipperwash Planning Area. Similar to the “Grand Bend Residential” designation, the “Port Franks Residential” and “Ipperwash Residential” designations are special designations applying to the existing development in this sensitive ecosystem.

5.7.2.1 Policies

In addition to the relevant policies of the “Grand Bend Residential” designation, the following policies apply in Port Franks and Ipperwash:

- The Municipality does not anticipate the extension of sanitary sewers to Port Franks and Ipperwash in the 25 year planning horizon of this Official Plan, except in compliance with Section 13.3.2. Based on this, no large scale development or new Plans of Subdivision are permitted in Port Franks or Ipperwash over the lifetime of the Official Plan, unless they are developed on private communal sewage systems, in accordance with Section 13.3 of the Official Plan.
- Infilling on existing lots in Port Franks and Ipperwash is permitted provided the lot is large enough to accommodate an individual on-site sewage system.
- New lot creation in Ipperwash and Port Franks is limited to five (5) lots or less from a lot existing on the day of approval of the Plan.
- No new large scale developments are anticipated in the 25 year Planning Horizon.

- Since the ESAs in Port Franks and Ipperwash provide habitat for SAR species, an EIS is required for any development and site alteration on “adjacent lands”. An Ecological Buffer Zone will likely be required based on the findings of the EIS. This policy does not apply to the construction of:
 - a detached dwelling;
 - an addition to an existing detached dwelling;
 - the rebuilding of an existing dwelling; or
 - associated accessory buildings or structures;

On existing lots designated “Ipperwash Residential”. A Tree and Natural Vegetation Preservation Plan shall be approved by the Municipality prior to the issuance of a building permit. Trees shall be removed only as necessary to accommodate a dwelling, accessory buildings or structures, driveways and private on-site sewage system.

5.7.3 Grand Bend Highway 21 Gateway Residential

Lands designated as “Residential – Grand Bend Highway 21 Gateway”, as shown on Schedule A2 (North Bosanquet) of the Official Plan, are located within an environmentally sensitive area. This area is not needed for development over the next 25 years and due to the significant environmental features and sensitivity may never be developed. In addition to functioning as a buffer area for Pinery Provincial Park this area will also function as a treed, sand dune gateway into Grand Bend, to showcase the area’s best environmental features. Applicable policies include:

5.7.3.1 Permitted Uses and Policies

Permitted uses include:

- the existing residential and commercial uses;

New development will consist of minor residential and commercial infilling only, including one residence/commercial use per lot, with no new lot creation. Any new development proposal shall be accompanied by an EIS in compliance with Section 3.5.

Infilling must not adversely affect the future development potential of the area by constraining future road or lot layout

Only the minimum amount of tree and natural vegetation clearing is permitted for infilling, with the rest remaining in a natural state. A 23 metre treed buffer must be maintained along Highway 21, with no tree clearing, landscaping or accessory residential buildings or structure allowed in the buffer.

Individual on-site sewage services are allowed, subject to the approval of the Lambton County Building Services Department.

All infill development is subject to MTO's corridor control powers for Highway 21.

5.7.4 North Bosanquet Future Residential and North Bosanquet Residential – Special Policy Area A

These designations apply to lands in the North Bosanquet Planning Area, as shown on Schedule A2. Large-scale development is not anticipated in these areas until the following is prepared in a comprehensive format acceptable to the Municipality:

- Development and Phasing Plan;
- Servicing Strategy; and
- A plan ensuring that the costs and revenue regarding the long term servicing such new development is fiscally appropriate.

Permitted uses in the “North Bosanquet Future Residential” designation are:

- existing residential and commercial uses;
- new development will consist of minor residential and commercial infilling only. New residential lot creation is limited to five (5) lots or less from a lot existing on the day of approval of the Plan.

As the area is not serviced with municipal sanitary sewers, no large scale development or new Plans of Subdivision are permitted over the lifetime of the Official Plan, unless they are developed on private communal sewage systems or municipal sanitary sewers are installed.

Infilling must not adversely affect the future development potential of the area by constraining future road or lot layout

Lands in North Bosanquet designated “Residential – Special Policy Area A” are located in the flood fringe between the floodway and regulatory flood level. These lands will be

developed in accordance with the policies included in Section 5.6 - Residential Special Policy Areas and the policies of this section.

5.7.5 5478 Beach Street, Lake Valley Grove

Notwithstanding other policies of this Plan, the reestablishment of lots merged on title, described as Lots 11 and 12 on Reference Plan 25R197, known as 5478 Beach St, Lake Valley Grove, shall be permitted subject to the owner:

- Demonstrating that a sufficient development envelope exists for a house, private sewage disposal system and any accessory buildings:
 - with appropriate setbacks and buffers from natural heritage features,
 - with a minimum setback of 24m from the toe of the bank respecting natural hazards, and
 - with adequate front yard and side yard setbacks.
- Complying with the recommendations of the Environmental Impact Assessment dated May 10, 2013, prepared for the property;
- Demonstrating that development will have no negative impacts to the coastal wetland through assessment and, if necessary, mitigation;
- Demonstrating that development would not contravene the *Endangered Species Act*;
- Demonstrating that the effects and risk to public safety are minor, could be mitigated in accordance with provincial flood-proofing, protection work and access standards, and that safe access is provided, new hazards are not created, existing hazards are not aggravated, and no adverse environmental impacts will result.
- Demonstrating that soil conditions, lot size, and lot configuration are suitable for the provision of private on-site sewage disposal, consistent with reasonable use guidelines, and providing facilities for same;
- Obtaining any required Conservation Authority approvals;
- Entering into an agreement with the Municipality, if necessary to meet any of the requirements noted above.

COMMERCIAL

6. COMMERCIAL

The policies included in this section apply to lands designated for commercial uses. Most future commercial development will be directed to Forest, Grand Bend, Arkona and Thedford, the Municipality's main settlement areas. Minor infilling only in existing commercial areas may occur in Port Franks, Ipperwash and West Bosanquet

6.1 Downtown Commercial

6.1.1 Permitted Uses

Downtown areas, including King Street in Forest, Main Street West in Grand Bend and "downtown" Arkona and Thedford, serve the day-to-day needs of residents of the community and surrounding area and tourists travelling to or through the municipality.

Downtowns should function as the communities' centre with a broad range of retail, service, office, institutional, entertainment, cultural, recreational and open space uses. The following uses are permitted in areas designated "Downtown":

- retail stores, personal service and merchandise service shops
- farmer's markets
- restaurants and hotels
- offices, financial institutions and post offices
- commercial recreational uses, such as theatres and bowling alleys, art galleries and places of entertainment
- medical clinics and funeral homes
- public service facilities of a cultural or recreational nature, including libraries, art galleries and museums
- institutional uses, such as municipal and government offices, post offices, schools and places of religious worship assembly halls used by private clubs for charitable, cultural, recreational and educational purposes
- Mixed use (commercial and residential) buildings shall be permitted as of right. Multiple dwellings with a minimum of four dwelling units may be permitted through a site-specific zoning amendment. The restoration and creation of vacant residential apartments over stores is strongly encouraged. The use of ground floor spaces for commercial uses is strongly encouraged where facing a main street in the communities of Arkona and Thedford. Ground level residential units in a building facing a main street shall not be permitted in the communities of Forest and Grand Bend.

- Hotels and other tourist related accommodations, provided that such uses conform with the Urban Design Guidelines for Downtowns.

6.1.2 Policies

All downtowns should be intensively used and oriented to enable pedestrian rather than car traffic. It is the municipality's goal to achieve a high occupancy rate in its downtowns. To achieve this goal, Section 6.4, of the Plan does not permit new retail stores, merchandise service shops, financial institutions and offices to locate in Highway Commercial areas until a 90 % occupancy rate is achieved in the downtowns.

Other policies include:

- Lambton Shores will promote the preservation and revitalization of traditional main streets and Downtown Commercial areas.
- The existing form of development should be preserved along all "Main Streets", consisting of a continuous frontage of uses connected by sidewalks. Free standing uses on large lots will be not be permitted if the orientation of the building to the street does not conform with existing building setbacks.
- In cases where it is not possible to provide on-site parking, the Municipality may collect cash-in-lieu of parking spaces. Any monies collected will be used to develop and improve municipal parking lots.
- On-site parking is required for residential uses.
- The preservation and restoration of existing buildings and structures with cultural heritage value will be undertaken in accordance with the policies of Section 14.2 of the Official Plan. The Coopers Building, Forest Standard and Carnegie Library in Forest are examples of important historical landmarks.
- The Municipality will also enforce its Property Standard By-law to preserve heritage buildings and structures.
- Lambton Shores supports the Business Improvement Area and the Chamber of Commerce.
- Lambton Shores encourages the formation of Business Improvement Areas (BIA's) in those communities that do not have a BIA.
- Main Streets and Downtown Commercial areas are encouraged to be developed in a way that fosters activities associated with a creative economy and strengthens these areas as cultural nodes, and in this regard, municipal investment in cultural and recreational venues should be prioritized within and in proximity to the Downtown Commercial areas.

- Where feasible and the opportunity exists, Main Streets and Downtown Commercial areas should be connected to natural heritage systems.
- Tourism and leisure related activities are encouraged to locate on Main Streets and Downtown Commercial areas.

Where any new development is proposed adjacent to lands designated or used for residential uses, the Municipality's development control powers will be used to require that the new use provides adequate buffering to reduce any adverse impacts, including noise, light and visual impacts.

6.1.2.1 Downtown Commercial Parking

- It is the intent of this plan to preserve and enhance the pedestrian scale of main streets in Lambton Shores.
- Parking demand management should be prioritized as an alternative to establishing new parking areas. Parking demand management focuses on reducing the need for automobiles by encouraging shared parking, active modes of transportation such as walking and cycling, adjusting parking standards to accurately reflect demand in a particular situation, encouraging a mix of-uses, and charging motorists for parking in the Downtown.
- Surface parking lots should be appropriately screened and constructed only to the rear of buildings. Shared access to rear parking lots is strongly encouraged.
- Parking areas within the Downtown Commercial Designation with access to King Street in Forest, Main Street West in Grand Bend and Main Street (Highway 79) in Thedford should be redeveloped over time to "fill-in" the street-wall. New parking areas should not be visible from these streets.
- Over time, driveway access should be eliminated from King Street in Forest, Main Street West in Grand Bend and Main Street (Highway 79) in Thedford. As an alternative, private landowners are encouraged to establish common right-of-ways or enter into cross-access agreements. Where vehicular access cannot be provided, Council may consider accepting cash-in-lieu of parking spaces. Lot creation on these streets shall demonstrate that vehicular access can be provided in accordance with this policy.
- Bicycle parking shall be provided for redevelopment. Bicycle parking shall not be intrusive to the pedestrian environment. If bicycle shelters are proposed, they would be better suited to side streets or parking lots, due to their space requirements.

6.1.3 Urban Design Guidelines for Downtowns

6.1.3.1. Introduction

Within the Downtown Commercial designation, there are residential, commercial, office, and institutional land uses. The following general urban design guidelines apply to Lambton Shores' downtowns. All new development requiring approval under the *Planning Act* shall conform to the urban design policies of this Official Plan as appropriate.



6.1.3.2 Downtown Heritage

- Use similar patterns and level of detail for brick work, as other historical buildings.
- Include the replacement of missing architectural features.
- Include the use of replacement windows and doors which are of similar proportion and size to reflect traditional or original character.

6.1.3.3 New Building and Infill

- Maintain a continuous building façade oriented to the sidewalk.
- Maintain the general proportions, level of detail, colour, and character of existing historic buildings, which features should be used as a point of reference for any renovation work.
- Use the downtown's unique features in new construction or expansions, where possible, for example the yellow brick in Forest is an example of a unique feature.
- Adhere to existing and traditional setbacks and build to corners of the street in downtowns.
- Maintain a two to three storey building height with no blank walls fronting onto the main street.
- In some cases, proposals that exceed the maximum height of three storeys may be permitted under strict control. Such proposals shall only be permitted subject to a site-specific amendment to the Official Plan and a site-specific amendment to the Zoning By-law. Proposals that require an increase in height through an Official Plan Amendment shall demonstrate conformity to the following policies:

- Unless otherwise specified, the maximum height of buildings and structures, shall generally be restricted to a maximum of five (5) storeys. Should approval be granted to build to a height of 5 storeys, the addition built above 3 storeys should step back a minimum of 3 metres from the storey beneath it in order to limit its visual impact on the streetscape and minimize shadow impacts.
 - Proposed developments shall be designed to be compatible with the surrounding sensitive land uses and not cause any adverse shadow, wind or visual encroachment impacts on these land uses. At the Municipality's discretion, supporting studies such as Shadow Impact Studies, Pedestrian Wind Impact Studies and View Impact Assessment including necessary mitigation measures may be required to support such proposals;
 - Appropriate transition to nearby low-rise developments shall be incorporated into the design of proposed developments through a combination of building height, massing, setback and stepback. Generally, the proposed buildings should fit within 45-degree angular planes taken from a rear lot line abutting low-rise residential developments or open spaces and from the opposite side of the right-of-way when a lot line abuts a public street;
 - Incorporate active at-grade uses such as restaurants, retail stores, residential lobbies and other appropriate uses;
 - Demonstrate the ability to provide adequate emergency services.
-
- Identify appropriate buildings as entry markers to the downtown and recognize the special nature of these locations and provide support and incentive for these buildings to set a standard to be admired and followed by other buildings over the years.
 - New buildings, or changes to existing buildings should generally follow the established setback of adjacent buildings to provide a continuous street wall. Setbacks along King Street in Forest, Main Street West in Grand Bend and Main Street (Highway 79) in Thedford should be 0 - 1 metre, unless greater setbacks are required by other provincial or federal legislation.
 - Review the approved Community Design Plan and implement the recommendations therein.
 - Façade articulation, fenestration and at-grade active uses along the street facing elevation are encouraged to enhance pedestrian experience and provide passive surveillance on the abutting public realm.
 - Balconies should be provided above the ground floor where possible and incorporated into the building design.

6.1.3.4 Storefront Façade Articulation

- Ensure entries to shops are located directly off the street.
- New shop windows shall allow for display of stores' products. At least 60% of the building frontage on the ground floor and at building base levels should be glazed to allow views of indoor uses and to create visual interest for pedestrians. Opaque or poster windows shall not be allowed.
- Clear glass is preferred over tinted glass to promote a high level of visibility and mirrored glass should be avoided at the street level.

6.1.3.5 Signage

- New signage should be sympathetic to the downtown heritage character without necessarily replicating historic signage designs.
- The installation of new signage on designated buildings should only result in reversible changes.
- Implement the existing sign by-law which is designed to complement the heritage character of the downtowns.

6.2 Commercial

6.2.1 Permitted Uses

In Commercial areas, the primary use of land will be for businesses engaged in the buying, selling, supplying, leasing and exchange of goods and services. Lands designated "Commercial" throughout Lambton Shores may be used for the following purposes:

- Neighbourhood commercial uses catering to the daily or weekly shopping and service needs of nearby residents. These uses are convenience oriented and do not generally draw customers from beyond the local area;
- Community commercial uses, providing a wide range of goods and services needed on a regular basis with a trade area consisting of the surrounding neighbourhoods;
- Specific commercial uses include:
 - Retail stores and personal service and merchandise service shops;
 - Restaurants;
 - Offices and financial institutions; and

- Medical clinics and funeral homes.

6.2.2 Special Community Policies

6.2.2.1 Forest

Lands designated “Commercial” in Forest on Townsend Line in the residential part of town may be used for neighbourhood and community commercial uses, such as the existing retail use on these lands.

6.2.2.2 Grand Bend

The following policies apply to lands designated “Commercial” in Grand Bend:

- Despite the fragmented ownership and pattern of development, the Municipality intends to improve the aesthetics and functional qualities of the Ontario Street and Main Street East commercial areas. The Community Design Plan policies in Section 15.4 of the Official Plan include several recommendations for improving these areas.
- Individual access points in these two areas will be limited and designed to minimize danger to pedestrian traffic. Shared access is encouraged.
- On-site parking for residential uses on Ontario Street is required. Cash-in-lieu of parking may be accepted for commercial uses on Ontario Street.

6.2.2.3 Port Franks-Northville

Commercial uses on Highway 21 in Northville are restricted to uses that cater to the residents of Port Franks, the travelling public and tourists. Specialty commercial uses, such as trailer and camping supplies, boats and boating supplies and the sale of recreational vehicles, such as snowmobiles and motorcycles and any other goods relating to recreational activities, are also permitted. The scale of development is constrained by the lack of sanitary sewers and access restrictions to Highway 21.

Any new entrances to development on lands adjacent to Highway 21 will require approval from the Ministry of Transportation. Further all development adjacent to Highway 21 shall be subject of the policies in Section 13.2.2 of this Plan.

6.2.2.4 Ipperwash

The “Commercial” designation applies to the existing commercial uses on Ipperwash Road and other uses on West Ipperwash Road. Infilling on existing lots is permitted as long as the lots are large enough to accommodate individual on-site sewage system (see definition, Section 2.6).

6.2.2.5 West Bosanquet

Aside from convenience commercial uses in new Plans of Subdivision/Condominium, any new commercial development in West Bosanquet requires an Official Plan Amendment

6.3 Grand Bend Mixed Uses

6.3.1 Ontario Street South (OPA No. 2)

Grand Bend also includes an area designated for “Mixed Uses” on Ontario Street intended for redevelopment as a mixed commercial and residential development. Development shall be guided by the following principles:

- Permitted uses include community commercial uses, medium density residential development and parks and open space, preferably integrated into an identifiable neighbourhood.
- Land assembly may be required to ensure an integrated development as the lot sizes in this area are too small to be developed independently so consolidation may be necessary.
- Generally, the frontage along Ontario Street will be developed with commercial uses, with residential development at the rear along the Old Ausable Channel. All residents of the future development will have access to the channel.
- Buffering, consisting of open space with plantings and landscaping, will be provided between the commercial and residential development.
- Development will be by Plan of Subdivision/Condominium for the residential portion of the lands.
- The number of entrances to Ontario Street will be minimized.
- Streetscape enhancements, pedestrian walkways and on-road bicycle trails will be provided or enhanced as a condition to development.
- Since the Old Ausable Channel is an ESA and provides habitat for SAR species, an Environmental Impact Study (EIS) is required for any development and site alteration on “adjacent lands”. An Ecological Buffer Zone will likely be required based on the findings of the EIS.

- Municipal sewage and water services shall be required for any development in this designation.

6.3.2 Main Street East (OPA No. 2)

Grand Bend also includes an area designated for "Mixed Uses" on Main Street East intended for development for commercial and/or multi-residential development. Development shall be guided by the following principles:

- Permitted uses include community commercial uses, medium density residential uses, and mixed commercial-residential uses.
- Residential apartments and mixed use buildings are permitted up to four storeys in height.
- Buffering, consisting of open space with plantings and landscaping, will be provided between the commercial and medium density residential development, as well as the adjacent low density residential development to the north.
- Municipal sewage and water services shall be required for any development in this designation.

6.4 Highway Commercial

Highway Commercial areas cater to the commercial needs of residents from the community and surrounding agricultural areas, the travelling public and tourists. Uses of this type require more land and off-street parking and are not suitable in downtown areas. Usually consisting of single-purpose establishments, these areas are generally oriented toward car use rather than to pedestrian traffic.

6.4.1 Permitted Uses

Permitted uses in "Highway Commercial" areas include:

- Existing retail stores, personal service shops, merchandise service shops, offices and financial institutions. New uses of this type must be located downtown and will only be considered in the highway commercial designation if the Downtown areas are healthy and vibrant and 90 % of the available floor space in the downtown is occupied.
- Automobile sales, rental, service and washing establishments, including bulk fuel depots;
- Marine and recreational vehicles sales and service establishments;

- Farm implement sales, rental and service establishments;
- Restaurants and drive-in restaurants;
- Antique stores and flea markets;
- Motels, cabins and tourist related accommodations. Accessory single-detached or attached residential dwellings, occupied by the owner or manager, may also be permitted;
- Existing residential uses. No new free-standing residential uses are permitted;
- Custom butchers;
- Lumber yards and building supply centres;
- Kennels and veterinary clinics;
- Commercial recreational uses.
- Public service facility (see definition, Section 2.6)
- Health care related uses.

6.4.2 Policies

- No new retail stores, personal service shops, merchandise service shops, offices and financial institutions with less than 500 m² of floor area are permitted in the Highway Commercial area. To ensure a healthy and vibrant downtown all uses of this type will be directed to downtowns and will not be permitted to locate in a highway commercial area until 90% of the floor space in the downtown is occupied.
- Highway Commercial areas in Forest will not be expanded until vacancy rates in the downtown increase to 90% occupancy.
- Major new uses require a market analysis showing that the use is economically viable over the long-term and will have no adverse impacts on existing commercial areas and uses, especially the downtown. The analysis must be prepared by a properly qualified individual and will be peer reviewed at the request of Lambton Shores at no cost to the Municipality.
- Shared access points are encouraged to minimize the number of driveways;
- Access points will be designed to be safe for pedestrian and vehicular traffic;
 - Curb and gutter is required with designated access and egress points instead of continuous access; and
 - On-site parking and loading facilities are required for all uses.

- Although Highway Commercial areas are oriented toward car traffic, pedestrian walkways, crosswalks and traffic calming measures will be required to encourage a pedestrian and bike friendly environment as encouraged by the Community Design Plans and the Recreation and Leisure Master Plan.
- A minimum of 15% of the site shall be landscaped and consist of appropriately managed naturalized areas, using native plants. Existing trees and hedgerows will be preserved, where possible. Preference will be given to using hedgerows as natural lot dividers, instead of fencing.
- When new commercial development is proposed adjacent to lands designated or used for residential uses, the following measures will be required during the development approvals process:
 - screening or buffering of the access driveway, parking and service areas to reduce noise, light or visual impacts; and
 - light standards and external lighting fixtures will be located and designed to direct lighting away from adjoining residential uses. Signs must avoid conflicts with traffic and contribute, not detract, from the general amenity of the area;
- Council may require a Sustainability Plan, as outlined in Section 15.1.5 of the Official Plan for redevelopment and development subject to Subdivision or Site Plan approval. The Municipality will work with developers to promote sustainability in their developments.
- Proposals for major retail facilities shall include an impact assessment that addresses the following:
 - the impact on downtowns, mainstreets, and other existing and designated retail facilities within the Municipality; and,
 - the manner in which the proposal is supportive of the Municipal Growth Strategy and any commercial policies of this Plan.

6.4.3 Urban Design Guidelines for Highway Commercial Areas

6.4.3.1 Built Form

Building Setback

- Where feasible, encourage building placement at the minimum setback required by the Zoning By-law, thus avoiding large setbacks and substantial areas of surface parking in the front yard.
- Future additions or redevelopment should address the potential of including additional street-related buildings to promote an urban and pedestrian-oriented streetscape.
- Building treatments, such as unenclosed entrance structures, colonnades, overhangs, canopies, awnings, and landscape elements should be allowed to encroach into the front yard.
- Corner buildings should be located at the minimum building setbacks in order to enhance the role of these areas as focal points

Building Height, Massing and Elements

- The scale of building mass should be integrated with neighbouring properties, particularly where dissimilar land uses abut.
- Building massing should be designed to minimize impacts on adjacent properties with respect to privacy overview and sunlight access.
- Building massing should include variations in the building envelope to allow for elements such as entrances, forecourts, or other specific building articulations. These elements should provide interest and detail when viewed from the public street, particularly at corner locations.
- Material and building details should reflect the nature and character of the community.
- A strong articulation of building facades is encouraged, and blank walls demonstrating no specific architectural design, are to be discouraged.
- Where blank walls occur, the use of additional architectural details and building materials to enhance the visual appearance should be encouraged. Alternatively, the use of murals, painted wall signs, and other sculptural or graphic artwork should be encouraged to promote visual interest. The context of graphics and artwork should be subject to the conformity of the relevant Municipal regulations, where applicable.

6.4.3.2 Landscape

- Front yard setbacks should be kept to a minimum (6 to 9 metres), with planting and pedestrian walkways to ensure the building is oriented to the street. Corners should be reinforced with plantings.
- Landscape strips that are greater than 2.5 metres in width should consist of grass, ground cover and deciduous/coniferous trees, wherever possible.

- New development should be encouraged to provide landscape buffer or Islands within parking lots on private lands.
- Planting strips with minimum widths of 3.0 metres should be provided between the street line and parking lots.
- On sites where buildings are to be located close to the front lot line and no parking in front of the building is proposed, landscape planting will be required in order to frame the building.
- Low fencing, combined with low shrubs, may be used along property lines to screen/protect parked vehicles, and also to provide visual interest.
- Decorative fences higher than 0.9 metres, or continuous planting of tall shrubs and coniferous trees along street frontages, which obscure pedestrian views, should be discouraged.
- Where a commercial property abuts a residential zone, a planting strip of 3.0 metres minimum width should be provided for vegetation, fencing, and snow storage.
- Where commercial properties have parking lots which are adjacent to each other, a shared landscape buffer with a minimum total of 3.0 metres should be provided between lots, except where shared driveway access occurs.

6.4.3.3 Access and Circulation

Vehicular Access & Circulation

- Access points will be limited in number and designed to enable segregation, and the safe movement of pedestrians and vehicles.
- Access driveways, parking and loading areas must be paved with asphalt concrete or paving stone. Paving materials other than asphalt should be considered for on-site walkways.
- Control points on entrances into parking areas should be at least one car length beyond the sidewalk.

Pedestrian Access & Circulation

- Main entrances to buildings should be emphasized through entrance canopies, awnings, and other architectural elements.
- Building access ramps should be located as close as possible to the most direct, barrier-free path of travel.
- Retail area display openings should be provided along pedestrian routes to maintain interest and improve security.

- Sidewalks should continue across driveways to indicate pedestrian priority.
- Proper lighting, landscaping, and pedestrian amenities along the circulation routes will enhance overall site appearance, promote public safety, and encourage the use of public transit in the future.

6.4.3.4 Parking & Service Area

Parking Area

- Parking should be located to the side or rear of the building to ensure that parking is not the predominant feature in views from the road.
- Large expanses of unbroken surface parking should be avoided, and landscaping should be used to define smaller areas within surface lots.
- Designated accessible parking spaces should be located close as possible to barrier-free building entrances.
- Parking areas adjacent to residential properties should provide landscape planting and opaque fencing to buffer the visual and acoustic impacts of the parking area.

Service and Loading Area

- Service (including exterior garbage storage and recycling containers) and loading areas should be located away from the primary building face, preferably in the rear or side yard of the building and integrated within the building, where possible.
- Appropriate buffering and screening of service and loading areas should be incorporated using landscaping or built screens, or a combination of both.
- Service routes should be directed to the side or rear of buildings, avoiding interruptions across sidewalks and other pedestrian walkways which lead to primary building entrances.

6.4.3.5 Lighting & Signage

Lighting

- Shielded and dark-sky compliant lighting should be considered to conserve energy and minimize light pollution of the nighttime sky.

Signage

- The existing Municipal Sign By-law should be applied as a regulating legislation.
- Freestanding signs addressing private development should be consolidated for each development and located within the property line perpendicular to the street line and mounted in a landscaped setting. Sign materials should be consistent with the building design.
- Building identification signs should be incorporated as an integral, coordinated element of the principal building façade and should be compatible with the building design in scale, colour, and materials.
- Encourage directional signage to provide information including entrance/exit locations, pick-up areas, accessible parking areas, and loading areas.
- Sign location should not compromise pedestrian and vehicular sight lines in order to ensure the safety of movement.

6.4.3.6 Drive Thru Facilities

- Ensure that the proposed drive-through facilities are compatible with and sensitive to the adjacent land uses.
- Avoid placing drive-through facilities adjacent to residential properties. Where this cannot be achieved, the facility should be located as far away as possible from the adjacent residential properties. Separation distance should be examined on a site-by-site basis and subject to a noise impact study, if requested by the Municipality.
- Consider proper measures to mitigate the potential noise, odor and light pollution and privacy protection.
- Access driveway on a corner lot should be located as far as possible from the adjacent intersection.
- Place the proposed building at or near the street frontage of the site. Where possible, avoid placing stacking lanes between the building and the public street.
- Where feasible, provide outdoor seating spaces and patios adjacent to the building and close to the street.
- No stacking of vehicles should occur on the public street.
- Provide pedestrian routes to connect public side walk to the building and parking areas, but not pass through a stacking lane.
- Avoid interruptions to stacking lanes by other vehicular traffic (parking, loading and services).

6.5 **Mixed Commercial/Industrial**

This designation applies to lands on Highway 21 on the north side of Forest and is intended for space extensive uses that cannot be accommodated in other areas of town. Anticipated uses and policies include:

- Permitted uses include farm implement sales and service, building and lumber supply, equipment rental, nursery/gardening, small scale manufacturing, warehousing and similar uses.
- Adequate screening and buffering will be provided for adjoining dwelling units.

6.6 Commercial Special Policy Area

Port Franks' main commercial area on Riverside Drive is located in a "Commercial Special Policy Area". This area is subject to flooding and includes existing marinas, and small-scale local and tourist oriented commercial uses. The following policies apply:

- Existing uses are permitted.
- New commercial uses similar in type and scale to existing uses are permitted, subject to Site Plan approval. Adequate buffering, preferably consisting of natural property dividers, will be required between new commercial uses and existing residential uses.
- All new uses and additions, expansions and extensions and non-habitable accessory buildings and structures must be flood proofed to the regional flood level.
- Existing and any new marinas are subject to the policies included in Section 9 of the Official Plan.
- The establishment of new dwelling units in the commercial area may be permitted in accordance with the policies of this Plan.
- A limited amount of new free-standing residential development may be permitted, provided it is compatible with existing commercial development and does not preclude the establishment of new commercial uses. Proposals for new residential uses on vacant or commercial sites shall be subject to an amendment to the zoning by-law.



7. INDUSTRIAL

7.1 Introduction

The objective of the “Industrial” designation is to provide an opportunity for further economic development and diversification.

Lambton Shores currently includes the following “Industrial” areas:

- Two areas are designated in Forest, including the Lambton Shores Industrial Park and industrial properties on Townsend Line. To meet projected employment land needs, the Official Plan provides for a 10 hectare expansion of Forest’s industrial area in the vicinity of the Lambton Shores Industrial Park.
- The Thedford Industrial Park and other industrial lands throughout the village include uses mostly oriented to resource and agriculture related industries.

7.2 Permitted Uses and Policies

- Lambton Shores will ensure that that a diversity of zoned and serviced sites are available to support a range of industrial and service activities;
- Permitted Uses: Non-noxious industrial uses are allowed in “Industrial” areas, including general manufacturing, construction, truck terminals, research and development, warehousing, offices, wholesaling and light assembly. Also permitted are farm implement sales and service, agricultural and agricultural related uses, building and lumber supply, equipment rental and nursery/gardening centres. No building height or tower restrictions will be imposed. Accessory commercial uses are also allowed, including offices and limited retailing of goods manufactured on-site.
- Sensitive land uses such as residences, day care centres, and educational and health facilities are prohibited within Industrial areas, unless ancillary to a primary employment uses. Sensitive ancillary uses may only be permitted through a Site-Specific Zoning By-law Amendment, with appropriate justification demonstrating that the general intent of the policies of Section 7 are maintained.
- Outdoor storage is permitted provided it is located in a rear yard or interior side yard and is adequately screened from adjacent properties and streets.
- Any new industrial development adjacent to existing or future residential areas must:
 - provide adequate screening, buffering, and/or separation;

- minimize the impacts of parking, storage, loading and lighting; and
 - ensure that all industrial processes, traffic flows, building forms and relationships to neighbouring buildings do not negatively impact the adjacent residential area.
-
- Where an industrial use is proposed on a site where it is not possible to provide separations from existing sensitive land uses appropriate to the nature of the uses and activities involved, and it is also not possible to mitigate objectionable features of the industrial use, the industrial use will be considered a noxious industrial use in that context and will not be permitted in that location.
 - The Municipality will have regard to applicable Province of Ontario Sensitive Land Use Guidelines (“D-6”) as amended from time to time for the establishment of new industrial and sensitive uses in proximity to one another.
 - Industrial and sensitive land uses such as residences, day care centres, and educational and health facilities shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Where avoidance is not possible, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
 - there is an identified need for the proposed use;
 - alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - adverse effects to the proposed sensitive land use are minimized and mitigated; and
 - potential impacts to industrial, manufacturing or other uses are minimized and mitigated.
 - Lambton Shores shall develop zoning standards to encourage compact, mixed-use development that incorporates compatible industrial uses.
 - Lambton Shores shall ensure that the necessary infrastructure is provided to support current and projected needs of industrial areas.

7.3 Site Design Policies

Site design policies for new uses in “Industrial” areas in Forest include the following. Noncompliance with these provisions does not require an amendment to this section; however, Council will use these policies to evaluate new industrial development.

- Gateway features will be developed for the Lambton Shores Industrial Park.
- Lots shall be sized to accommodate the widest array of uses.
- Buildings shall be oriented towards the front lot line.
- Chain link fencing is prohibited in a front yard.
- The width of a building’s fronting façade shall be at least 30% of the lot width.
- Parking lots should be located in the rear or interior side yards to ensure that they are not the predominant feature in views from public roads.
- Service and loading areas will be located in the rear or interior side yards.
- A minimum of 10 % of the site will be landscaped and consist of appropriately managed naturalized areas using native plant. Existing trees and hedgerows will be preserved where possible.

7.4 Lands designated as Employment Areas

Lands designated Industrial in this Plan shall be an Employment Area in accordance with the Provincial Policy Statement (2020).

7.5 Conversion of Employment Lands Within Employment Areas

The Municipality may permit the conversion of lands within an employment area or Industrial designation to another type of land use only through a municipal comprehensive review, as stipulated in the County Official Plan, that reflects County of Lambton’s employment growth projections, allocations and intensification and density targets by the County Official Plan where it has been demonstrated that:

- There is a need for the conversion;
- The conversion will not adversely affect the overall viability of the Municipality’s Employment Areas and the achievement of the intensification target, density targets and other Policies of this Plan;
- There is existing, or planned, infrastructure in place to accommodate the proposed use; and
- The lands are not required, over the long term, for employment or industrial purposes for which they are designated.

Major retail uses are considered to be non-employment uses and are not permitted in Employment Areas.

Lands designated Employment Area shall not be redesignated or rezoned to any other non-employment land use, except through a Municipal Comprehensive Review in accordance with the policies of Section 19 Official Plan Review and Amendments of this Plan.

7.6 Cannabis

Cannabis Production Facility: means any indoor building structure, or lands licensed by, Health Canada to undertake cultivation and/or processing of cannabis, pursuant to the Cannabis Regulations under the *Cannabis Act*, or successor legislation, and may include sale, analytical testing, and research of cannabis. A cannabis production facility excludes the outdoor cultivation and processing of cannabis.

Cannabis production facilities are considered an industrial use in the Urban Area and may be permitted in Industrial designations subject to the policies of this Plan. Cannabis production facilities within all other urban land use designations are prohibited.

Cannabis production is considered a noxious use. Within the Industrial land use designations specified in Section 7 of this Plan, a cannabis production facility shall require a rezoning application and a Site Plan application to be approved by the Municipality. Approval of the rezoning and Site Plan applications shall be subject to successfully addressing the following:

- Conformity with the Province of Ontario's Sensitive Land Use Guidelines ("D-6") as amended from time to time;
- Noise, odour, and wind through studies prepared by a qualified professional;
- Photometric analysis including studies of night light and impacts prepared by a qualified professional;
- Servicing including stormwater management;
- Security plan and site design for security;
- Waste management plan; and,
- Mitigation plan including mitigation for sensitive land uses.



PARKS, OPEN SPACE, TRAILS, RECREATION AND TOURISM

8. PARKS, OPEN SPACE, TRAILS, RECREATION AND TOURISM

8.1 Objectives

An essential part of the quality of life, Lambton Shores is committed to providing parks and recreation services to meet the diverse needs, abilities and interests of its residents. To promote a healthy, active community, the objectives of Lambton Shores' parks, open space, trails and recreation policies as supported by the Recreation and Leisure Master Plan, are to:

- Provide a continuous or linked open space system. Policies promoting multi-use trails as linkages are included in Section 13.2.8 of the Official Plan.
- Plan public streets, spaces and facilities to be safe, meet pedestrian needs and facilitate walking and cycling. Policies for safe pedestrian and biking trails are included in Section 13.2.8 of the Official Plan.
- Provide a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, open space areas, trails and water-based resources. A comprehensive, rather than a development-by-development approach will be taken for parks, open space and recreational planning in Lambton Shores.
- Provide opportunities for public access to shorelines and acquire waterfront properties where feasible along Lake Huron Shoreline to provide additional public access. Policies regarding access to Lambton Shores' many beaches are included in Section 8.3.5 of the Official Plan.
- Consider the impacts of planning decisions on Provincial Parks and Conservation Areas. The important role of these facilities is acknowledged throughout the Plan.
- The Municipality will work with our community partners to provide for activities and facilities which promote the objectives of the Section.

8.2 Hierarchy and Permitted Uses

The Official Plan's "Parks, Open Space and Trails" designation applies to public and private parks and recreational areas, including Pinery Provincial Park, golf courses and large and small municipal parks in urban areas.

Two categories of open space, as an interconnected system, are provided for in the Official Plan:

- Major Open Space and recreational facilities to serve the recreational needs of residents and tourists. Grand Bend Beach, Port Franks and Grand Bend Marinas, Pinery Provincial Park, The Shores Recreation Complex and The Legacy are examples of major facilities.
- Community Parks to serve the recreational needs of the local community and Neighbourhood Parks and minor open space to serve local recreational needs.

Permitted secondary uses in “Parks, Open Spaces and Trails” areas include the following:

- Golf courses, driving ranges and putting greens. New uses of this type require an Official Plan amendment;
- Private parks and recreational facilities;
- Cemeteries and crematoria;
- Botanical gardens and non-commercial gardens;
- Swimming pools, skating rinks and ponds;
- Ancillary retail uses and restaurants.

8.3 Parks, Open Space, Recreation and Tourism

8.3.1 Policies

The Municipality prepared and adopted Recreation and Leisure Services Master Plan late in 2011. Lambton Shores is committed to providing parks and recreation services to meet the diverse needs, abilities and interests of its residents. The following policies apply to parks planning throughout the Municipality:

- The provision of parkland should be targeted at a rate of 4.0 hectares per 1,000 residents, further subdivided according to the type of park whereby Major Parks are encouraged at a rate of 2.0 hectares per 1,000 while Community and Neighbourhood Parks are encouraged at a rate of 1.0 hectares per 1,000 residents, respectively. This would suggest that an additional 7 hectares of parkland is required, of which approximately 3 hectares should constitute Major Parks, 2 hectares should consist of Community Parks and another 2 hectares would be comprised of Neighbourhood Parks.
- The Municipality should continue to require a minimum 5% land conveyance for parkland from residential developments (or application of the 1 hectare per 600 dwelling units or cash-in-lieu provisions to a maximum of 10 per cent of the land or the

value of the land if the developable land is five hectares or less in area or 15 per cent of the land or the value of the land if the developable land is greater than five hectares in area) and 2% land conveyance for parkland from industrial /commercial developments (or cash-in-lieu thereof). Cash-in-lieu of parkland payments will be based on the appraised value of any lands required to be conveyed for park purposes and will be accepted when:

- The size and/or location of the development prevents it from providing a sufficiently sized park in an appropriate location; and
 - A combination of parkland dedication and cash-in-lieu may be accepted in some instances, such as a partial dedication achieving the desired standard or a development that includes private recreational facilities for residents.
- Neighbourhood parkland deficiencies have been identified in Grand Bend, Arkona and Thedford;
 - Additional lands may be acquired from developers based on the lands' physical, environmental or cultural qualities or opportunities to link the open space system. An example includes the acquisition of privately held lands in ESA's that are threatened by existing and future developments. If acquired lands exceed the 5% and 2% dedications the Municipality may purchase them including through funds collected as part of a Community Benefits Charges Strategy as indicated in Section 15.3 of the Official Plan or acquire them for no cost if they have no specific recreational value.
 - Any multiple unit development with more than 25 units may be required to include a private amenity space for the use of its residents. This policy shall not be interpreted to exempt such development from the requirement to provide parkland or cash-in-lieu of parkland in accordance with the policy above.
 - The Municipality may consider a range of alternative parkland acquisition strategies to obtain adequate parkland where limitations exist in acquisition through the development process. Lambton Shores will also coordinate with landowners and public service groups to provide trails and other open space amenities within existing transportation or utility corridors, provided that the provision of such amenities does not cause a public safety concern.
 - The Municipality should encourage a target of providing parkland or open space within 800 metres of major residential areas (free of major pedestrian barriers such as waterways, highways).
 - Based on the objective of creating an interconnected system, transportation or utility corridors no longer needed should be considered for incorporation into the municipal

open space system. Lambton Shores will seek the co-operation of adjoining private landowners and public service groups to develop these corridors. Lambton Shores will also coordinate with landowners and public service groups to provide trails and other open space amenities within existing transportation or utility corridors, provided that the provision of such amenities does not cause a public safety concern.

- The Official Plan does not intend to imply that any lands designated for park use or as “Open Space” are free and open to the public or that the Municipality intends to purchase them.
- Lands required for drainage purposes, lands susceptible to flooding, steep valley slopes, hazard lands, connecting walkways and other lands unsuitable for development will generally not be accepted as lands for parkland conveyance.
- Major parks are intended to provide a broad range of active and passive recreational opportunities, and will:
 - incorporate environmentally significant natural areas wherever feasible;
 - provide large open areas which can facilitate active sports activities;
 - provide for low intensity passive recreational activities easily accessible to residents throughout the Municipality; and
 - be located on or near an Arterial Road or Collector Road wherever possible.
- Community parks will provide outdoor recreation facilities serving several residential neighbourhoods within the Municipality, provide a focal point for community activities, and will:
 - provide for active recreational activities predominantly;
 - be accessible to the neighbourhood and where possible subdivision plans should incorporate walkways to new or existing parks;
 - incorporate elements of the natural environment wherever feasible;
 - be located on a Collector or Arterial Road; and
 - be integrated with a school playing field if possible, where shared use of parkland can be facilitated.
- Neighbourhood parks will generally consist of small children’s play facilities at the neighbourhood level and greenbelt areas that serve individual neighbourhoods within a community, and will:
 - be centrally located within a neighbourhood and accessible to pedestrians;

- provide opportunities for minor recreational activities;
 - provide opportunities for passive enjoyment of the environment;
 - be located in conjunction with an elementary school, where feasible, in which case no physical barriers shall be created to separate complementary facilities; and
 - be located on a Collector or Local Road.
- Lambton Shores will pursue options for shared facilities agreements with other private and public organizations, such as school boards and other public bodies and local service clubs to maximize the utilization of public space and facilities.
 - The Municipality also gratefully acknowledges and encourages the assistance of public service groups, businesses and private citizens to provide land and facilities.

8.3.2 Parks Planning in Planning Areas

This section includes specific objectives and policies for open space and parks planning in Lambton Shores' communities.

8.3.2.1 Forest

Forest's major parks, open space and recreational facilities have allowed it to earn its nick-name "Town in the Park". Centred on the valley lands of Hickory Creek, major facilities include Coultis/MacCrae Park, the Fairgrounds, a golf course and the Esli G. Dodge Conservation Area. The Conservation Area includes an amphitheatre which can hold up to 10,000 people and is home to the Forest Excelsior Band, the oldest continuing band in Canada. Additional policies applying specifically to Forest include:

- The main objective in Forest is to make the open space system more continuous with multi-use trails to link commercial areas and other community facilities and provide corridor habitat connections. This is a major focus of the 2008 Community Design Plan for Forest, as outlined in Section 15.4 of the Official Plan.
- Lambton Shores may continue efforts to secure portions of the former CN Rail line traversing the Municipality from private owners in an effort to extend both the Lambton Shores and the County of Lambton trail system across the Municipality.
- Markers and switches associated with the former CN Rail line will be incorporated into the trail system as important reminders of Forest's past as a railway town.

8.3.2.2 Grand Bend

Although Lambton Shores and Grand Bend, in particular, include a wealth of parks and open space oriented to tourism, the village has an inadequate amount of neighbourhood parkland for permanent residents. A municipal priority is the development of neighbourhood parks in the more densely developed older areas of the village, to meet minimum parkland standards of 1 hectare per 1,000 population. Redevelopment of some of these areas is anticipated over the life time of the Plan. Any redevelopment may be required to provide neighbourhood parks.

Grand Bend is very “walkable”. Existing major walkways include the boardwalk developed as part of the Grand Bend Beach Enhancements, and the Grand Bend Rotary Trail, a multi-use pathway along Ontario Street extending all the way to Pinery Park. The 2008 Community Design Plan includes many recommendations for further improving the “walkability” of Grand Bend, as outlined in Section 15.4 of the Plan.

In addition to the future parks, open space and trails recommended by the Community Design Plan, the Municipality also plans to retain public access along Parkhill Creek for any new development. A 33 feet wide public towpath currently exists in some locations along the west side of the Parkhill Creek. However, Council reserves the right to dispose of public towpaths where they deem them not to serve any purpose to public access.

8.3.2.3 North Bosanquet

The centrepiece of the North Bosanquet Planning Area and one of Lambton Shore’s major tourist attractions, Pinery Provincial Park attracts up to 600,000 visitors per year. Part of the Dunes Watershed, Carolinian Canada’s Big Picture Initiative has identified the Park’s ANSI as a core area for protection and enhancement. The park, including the Old Ausable River Channel, is part of an extensive ESA with a Provincially significant freshwater dune system and associated representative floral, faunal and cultural features. Many Species at Risk are protected in the Park. Camp Attawandaron, operated by Boy Scouts Canada and located at the southern end of Pinery Park, is part of the Pinery Provincial Park ESA.

The management and development of the park is outlined in Ontario Parks/MNRF’s Pinery Provincial Park Management Plan.

Other important recreational uses in the Planning Area are the Grand Bend Rotary Trail, linking Grand Bend and the Pinery, and the Lambton County Heritage Museum. Plans are developing to extend the Rotary Trail to the Port Franks-Northville Planning Area.

Other policies include:

- Development and site alteration in Camp Attawandaron are subject to the findings of an Environmental Impact Study (EIS), as outlined in Section 3.5.
- Development and site alteration on lands adjacent to the Pinery and camp are subject to the Plan's policies for "adjacent lands". An "Ecological Buffer Zone" will likely be required based on the findings of the EIS.

8.3.2.4 Port Franks-Northville

The following policies apply specifically to parks planning in Port Franks-Northville:

- Public access to the beach and the Ausable River is constrained by private ownership down to the water's edge, in some cases, and private ownership of the beach by cottagers associations in other cases. Public access to the waterfront, watercourses and natural areas shall be protected and maintained and where possible new access should be encouraged and obtained.
- Lambton Shores will continue to work with the cottagers' association to develop a compromise between the cottagers association's privately held beach rights and public demand for access to the beach.
- Other parks, open space and trails improvements are included in the Community Design Plan for Port Franks, as outlined in Section 15.4 of the Official Plan.

8.3.2.5 Arkona

Like many of the villages in Lambton Shores, Arkona is deficient in neighbourhood parks. Existing facilities include a former school yard that functions as a neighbourhood park and Utter Park. A new soccer facility has been installed just outside of the Arkona Planning Area in Warwick Township and a local Arkona community group is undertaking the enhancement of an abandoned industrial site for park purposes. Approximately 0.75 hectare of neighbourhood parks is required in the village (based on a minimum standard

of 1.2 hectares per 1,000 population). All new development will be required to provide, or contribute to the development of, new neighbourhood park amenities.

The 2008 Community Design Plan (outlined in Section 15.4 of the Official Plan) recommended that a neighbourhood park be established on Centre Street, along with a splash pad and play area. The splash pad has been installed. The Community Design Plan also recommended that the main intersection at Townsend Line and Arkona Road be enhanced and beautified. Recommended improvements include planters, street plantings, seating and enriched colour concrete paving.

Several large parks are available to Arkona residents and meet all existing and future needs for community and major parks. The Rock Glen Conservation Area includes picnic facilities, nature trails, scenic waterfalls, fossils, archaeological sites and a private campground adjacent to the park. Major facilities within 20 km of Arkona include Warwick Conservation Area, Parkhill Conservation Area, Thedford Conservation Area,

Pinery Provincial Park, The Shores Recreation Complex and the Thedford Legacy Centre.

Arkona is very “walkable”. As outlined in the Community Design Plan, opportunities exist to establish and connect new and existing trail systems. A new pathway to the soccer fields (as an alternative to driving) is recommended along with improvements to the “Rock Glen Block”, a popular daily walking trail. Improvements include the extension of the trail along Ann Street, Townsend Line and out to Rock Glen Falls, as shown on **Schedule A8**. Day visitors to Rock Glen Falls will then have an opportunity to walk into Arkona.

8.3.2.6 Thedford

Although Lambton Shores includes a wealth of parks and open space oriented to tourism, Thedford has one neighbourhood park. All new development, including new Plans of Subdivision, will be required to provide, or contribute to the development of, new parkland enhancement. Overall, Thedford is very “walkable”. As outlined in the Community Design Plan (see Section 15.4 of the Official Plan), opportunities exist to use the former railway right-of-way, including the trellis



bridge, for a multi-use trail. The trail could provide connections to areas inside and outside Thedford. Thedford is served well with the newly renovated and expanded recreation and sports facility known as the Legacy Centre.

8.3.2.7 West Bosanquet

Some neighbourhood parks are provided in existing cottage areas. All new development will be required to contribute to neighbourhood park land improvements. The policies of Section 8.3.5, requiring public access to the lakeshore for any new development, also apply to West Bosanquet. Lambton Shores will investigate the potential for providing a walking trail along the Lake Algonquin Shoreline and linking this area with existing trails along the lakeshore in Plympton-Wyoming.

8.3.3 Tourism

The Lambton Shores lakeshore is a major tourist destination in Southwestern Ontario and attracts visitors from across the country and around the world. For example, up to 10,000 tourists visit Grand Bend on an average weekend day in the summer. Along with agriculture, tourism is the pillar of Lambton Shores' economy.



The Official Plan includes policies for enhancing existing tourist attractions and creating new opportunities for tourism in Forest, Grand Bend, Port Franks, Arkona and Thedford. Making downtown Forest and its amphitheatre a major tourist draw and Grand Bend a hub for eco-tourism are important Municipal objectives. Other initiatives include the continued development of Arkona as a tourist attraction, centred on linking “downtown” Arkona with Rock Glen Falls and the fossil fields. Thedford and the Thedford Bog have potential to become a centre for the Eat Locally (Locavore) movement. Arkona and Thedford both provide an “idyllic small town Ontario” atmosphere which is expected to become more popular among retirees from all over Ontario.



Other important objectives for tourism in Lambton Shores are:

- Implementation of the Sarnia Lambton Strategic Tourism Development Plan and continued co-operation with Sarnia Lambton Tourism and Sarnia Lambton Economic Development.
- The Municipality also supports the efforts of the Grand Bend Chamber of Commerce, the Forest Business Improvement Areas and other similar organizations across Lambton Shores to promote tourism.
- Promotion of the Lake Huron Circle Tour to attract U.S. and international tourists. The circle tour idea originated with Great Lakes Commission. The Great Lakes Commission is an interstate compact agency that promotes the orderly, integrated and comprehensive development, use and conservation of the water and related natural resources of the Great Lakes basin and St. Lawrence River. Its members include the eight Great Lakes states with associate member status for the Canadian provinces of Ontario and Québec. The Commission's Tourism and Outdoor Recreation Task Force, acknowledged the interstate and U.S. - Canada competitive environment on tourism and sought a cooperative regional project where all jurisdictions could work together. The Circle Tour offers an opportunity to showcase the Great Lakes resource where promotion can be both collaborative and localized. All eight Great Lakes States tourism/travel office directors endorsed the idea.
- Implementing the 2008 Community Design Plan. The Plan includes many excellent recommendations for enhancing tourism in Lambton Shores, as outlined in Section 15.4 of the Official Plan.
- Lambton Shores Economic Development Committee has established 7 priorities for improving and enhancing tourism in Lambton Shores. They are:
 - A solid economic foundation;
 - A visible Lambton Shores brand;
 - A competitive agri-business and food industry;
 - A prosperous business base;
 - An active creative and cultural sector;
 - Sustainable growth; and
 - A thriving tourism industry.

Further, the County of Lambton Cultural Plan entitled "Building a Creative Economy" provides for the advancing of well-grounded economic, cultural, social and environmental plans and should be used to promote tourism in Lambton Shores.

Policies for other important tourism elements, including campgrounds, trailer parks, harbours and marinas are included in the Plan.

8.3.4 Pinery Provincial Park

Attracting up to 600,000 visitors a year, Pinery Provincial Park is the Municipality's major open space, park and tourist attraction. An ESA, it is set in one of the largest remaining forests in Southwestern Ontario.



The Pinery's Management Plan is Ontario Parks/MNRF's official policy for management and development of the park. The plan reflects the Province's intent to protect the natural and cultural features of the Pinery and maintain high quality opportunities for outdoor recreation and heritage appreciation for Ontario residents and visitors to the Province. The goal of the Management Plan is "to protect an extensive, provincially significant freshwater dune system with associated representative floral, faunal and cultural features and to provide high quality educational and recreational experiences".

Lambton Shores will co-operate with MNRF in implementing the goals, objectives and policies of the Park's Management Plan. Opportunities for co-operation include:

- Municipal promotion of the park as a year-round significant international, national, provincial and local recreational, cultural and natural heritage asset.
- Municipal participation in the park's special events and projects. Local community associations and the business and arts community are also encouraged to participate.
- Assistance in the development of Homeowner Guidelines for the stewardship of residential properties adjacent to the Pinery Park ESA.
- Lambton Shores will consider potential impacts on the park's significant features in the:
 - development and design of municipal infrastructure projects, including public services and utilities; and

- review and approval of development applications in the vicinity of the park.
- Joint servicing projects, such as the recently completed sanitary sewage servicing of the park by Lambton Shores.

8.3.5 The Beach

The careful use and management of the beaches is a priority for Lambton Shores. A major capital works project, the Grand Bend Beach Enhancements include many improvements in parking, access and recreational facilities at the beach. Existing public areas along the lake will be held in trust for future generations, with additional public lands acquired as they become available.



The following policies apply to Lambton Shores' beaches:

- Existing beaches and major watercourses must remain accessible to the public. All new development on Lake Huron, Parkhill Creek, Ausable River and Mud Creek shall provide for public and common access to and use of the beach/riverfront
- Private shoreline access for new developments and new individual lots in Plans of Subdivision is not permitted

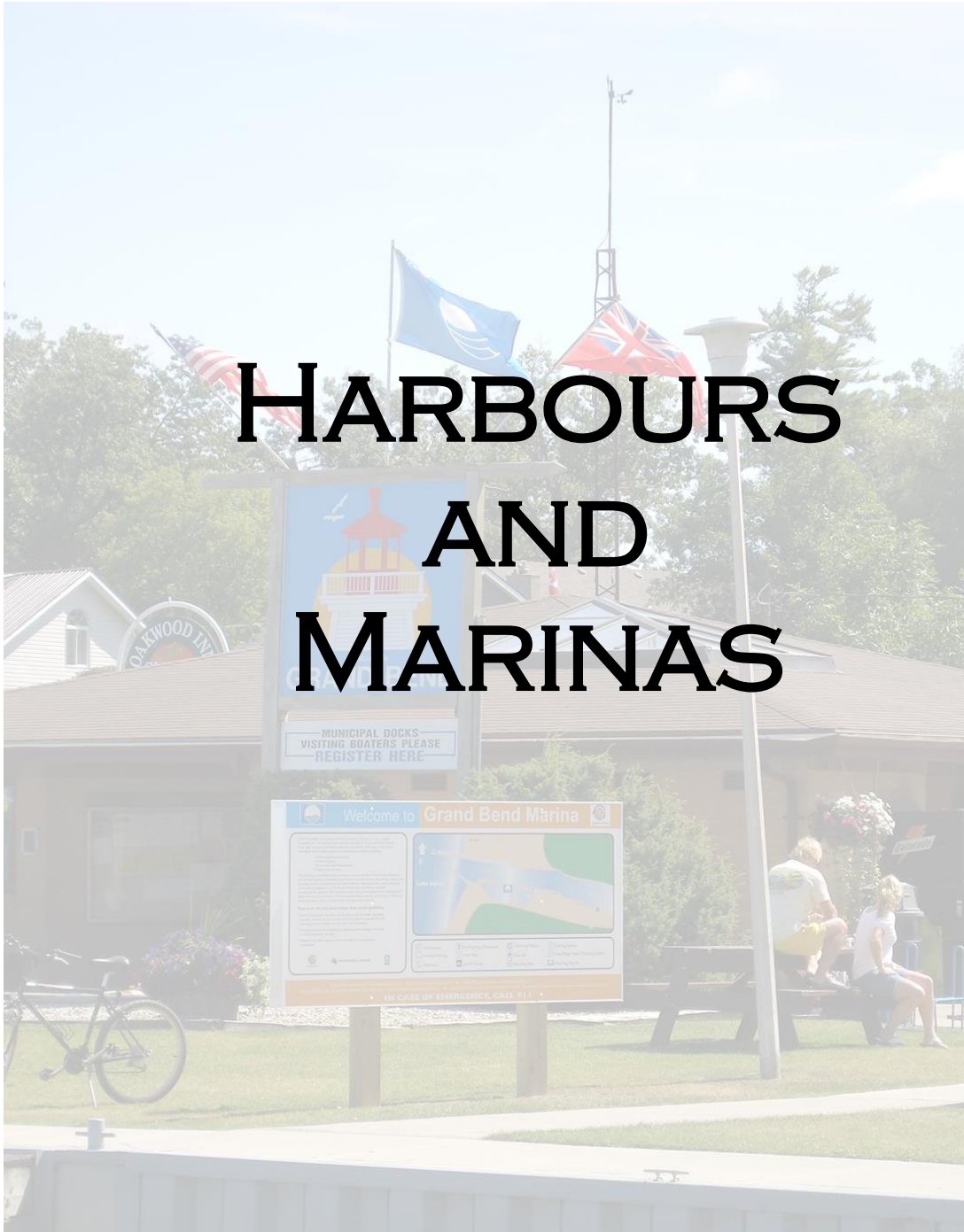
Existing road allowances and properties adjacent to Lake Huron, Parkhill Creek and the Ausable River owned by the Municipality shall be retained in public ownership to allow public access to the lake and river, except Council reserves the right to dispose of public towpaths where they are deemed not to serve any public access purpose.

- Private lease or purchase of such land shall be permitted only if such leases or purchases do not restrict existing or planned public access.
- In areas lacking public access to the beach, the Municipality may consider acquiring lakefront properties as they become available through easements, rights-of-way and parkland dedications, public purchase or management agreements.

- Lambton Shores will continue to work with the County of Lambton and the Waterfront Regeneration Trust to support the development of the Waterfront Trail as an opportunity to improve the growing cycle-tourism sector.

Permission is required from the ABCA or SCRCA for all development, site alteration and building permit applications within a certain distance of the Lake Huron lakeshore. Policies applying to “Lakeshore” areas are included in Section 3.3.2 of the Official Plan. Lambton Shores will continue to participate in the “Blue Flag Program”. The implementation of the Official Plan’s surface and groundwater protection measures (see Section 3.10) will help ensure Blue Flag status.

HARBOURS AND MARINAS



9. HARBOURS AND MARINAS

9.1 Introduction

The Grand Bend and Port Franks Harbours and marinas along Parkhill Creek are an essential element of “sand, sun and fun”. The Outer Harbour in Grand Bend is owned by the Federal government and leased and operated by Lambton Shores. The remaining marinas are owned by private operators.

9.2 Permitted Uses

Marinas, commercial docking facilities and accessory uses, buildings and structures are permitted on lands designated “Harbour and Marina”. Related uses, such as restaurants, fisheries, gift shops, marine supply and service establishments are also permitted. No residential development is permitted.

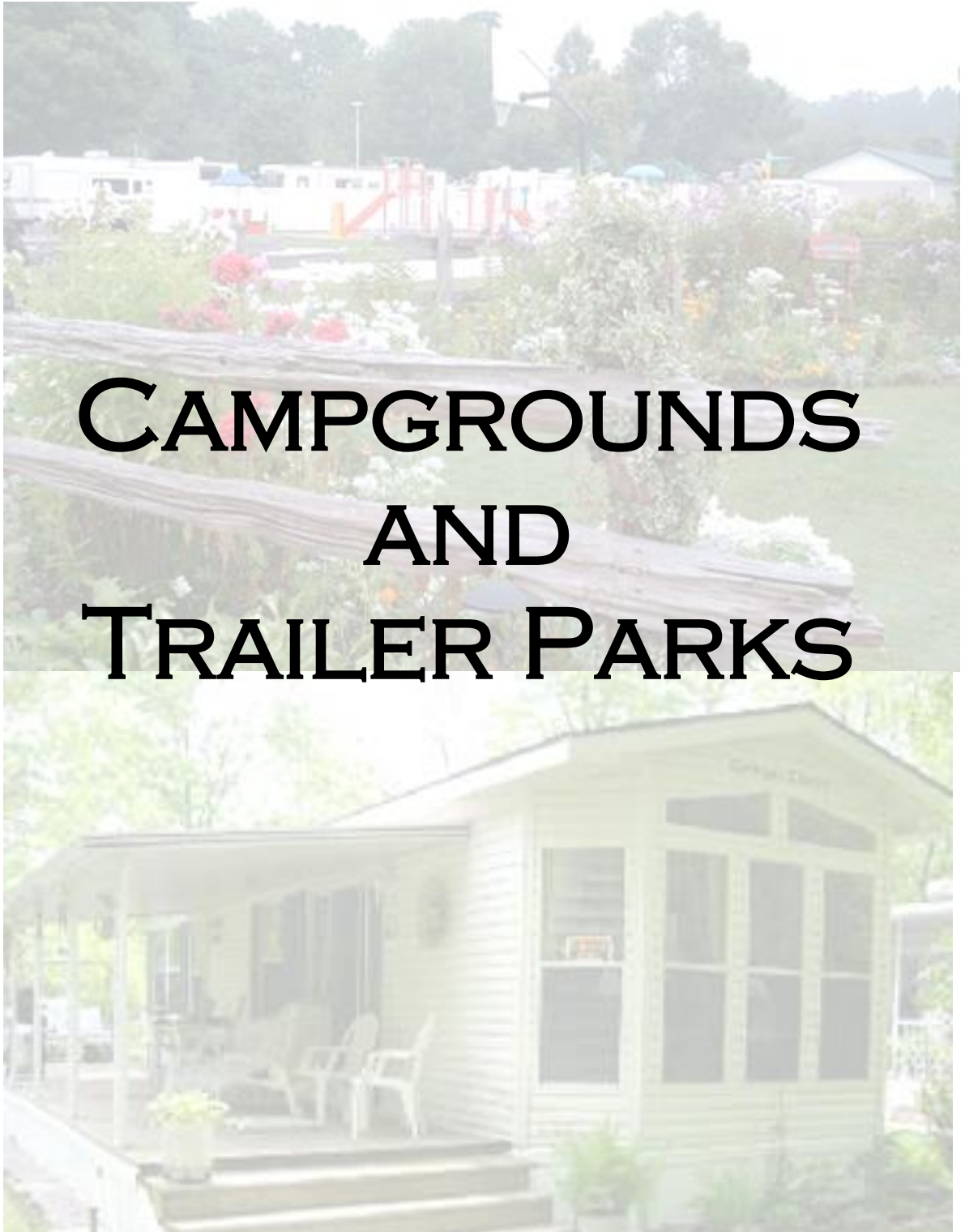


9.3 Policies

The following policies apply to existing and proposed harbours and marinas throughout Lambton Shores:

- New docks, boathouses or similar structures may require:
 - Authorization from DFO under the Federal *Fisheries Act* for the Harmful Alteration, Destruction or Disruption (HADD) of fish habitat. A Habitat Compensation Plan is required to ensure no net loss of habitat;
 - Transport Canada approval under the *Navigable Waters Protection Act* for any works potentially affecting the navigability of a waterway; and
 - Approval from the ABCA or SCRCA, as appropriate. New docks or structures must not adversely affect the hydrology of the watercourse or impede ice passage.

- No new entrance channel, turning basin or boat mooring area shall be located in a residential area.
- Facilities for the sale of gas and oil and for the fuelling of marine craft shall be provided in a separate pier or dock area from seasonal boat docks and comply with all Provincial legislation regarding the handling of fuels.
- Off-street parking shall be provided according to the number of seasonal boat slips.
- Any new marinas require an amendment to the Official Plan. New marinas are discouraged in residential areas, but may be suitable adjacent to multi-unit development.



10. CAMPGROUNDS AND TRAILER PARKS

10.1 Introduction

Lambton Shores includes many small and large privately owned and operated campgrounds and trailer parks.

10.2 Permitted Uses

Permitted uses include seasonal tenting, recreational vehicle and trailer parks, a year round residence for the owner/operator and accessory commercial uses. Year round guest accommodation is not permitted.

10.3 Policies

The following policies apply to these campgrounds and trailer parks:

- No new trailer parks are permitted without an amendment to this plan.
- All campgrounds and trailer parks must be located on a public road and served by the Municipal water supply system.
- Parks shall be a minimum size of 2 hectares, with individual tent and trailer sites no smaller than 230 m². Overall density shall not exceed 35 sites per hectare.
- Campgrounds and trailer parks are intended primarily for temporary seasonal use.
- A private sanitary sewage collection and treatment system is allowed for existing uses, as long as it is approved by MOE or its designated agent. New campgrounds and trailer parks must be provided with municipal water service (see definition, Section 2.6) and municipal sewage service (see definition, Section 2.6) or private communal sewage services (see definition, Section 2.6).
- All new uses must be compatible with existing and proposed adjoining uses and are subject to the Municipality's Site Plan Control By-law. Important consideration for site plan approval include:
 - adequate screening and buffering for adjoining uses, natural fences are preferred over wood or chain link fencing;
 - preservation of on-site trees/vegetation and landscaping using native species;
 - opportunities for linking new parks with existing trails

- The establishment of campgrounds and trailer parks will not be permitted in the Specialty Crop Area.

EXTRACTIVE

11. EXTRACTIVE

11.1 Introduction

Lambton County, as a whole, is “aggregate poor” since only a limited number of areas have sand or gravel deposits of sufficient quality and quantity. The PPS requires that mineral aggregate resources be protected for long-term use. The Lambton County Official Plan strives to protect these resources for possible future extraction, ensure the compatibility of land uses and the rehabilitation of extraction areas.

In contrast to the rest of the County, significant aggregate resources are found in Lambton Shores, along the Wyoming Moraine, a sand and gravel ridge formed 10,000 years ago by the shorelines of glacial Lake Warren during the retreat of the Wisconsin Glacier. As shown on the land use schedules, “Extractive” areas are designated along the moraine.

11.2 Permitted Uses

Lands designated “Extractive” include existing pits and quarries licensed by MNRF, under the *Aggregate Resources Act*. These lands may be used for the extraction of mineral resources, such as sand, gravel, stone or clay. Ancillary uses are permitted, such as aggregate and overburden storage, a stone crushing plant, processing facilities, administration offices and scales.

11.3 Policies

Policies applying to “Extractive” areas include:

- Existing licensed pits and quarries will be protected from incompatible development that would:
 - preclude or hinder their expansion or continued use; and
 - cause public health and safety or environmental concerns.
- Setback distances for licensed operations are set out by regulation in the *Aggregate Resources Act*. Similarly, all proposed development adjacent to a licensed quarry must maintain a minimum setback of 500 metres from the quarry operation. All proposed development adjacent to a licensed pit must maintain a minimum setback of 300 metres from the pit operation. The above distances may be reduced if

proponents of any proposed adjacent development can demonstrate through studies that any potential hazards or land use conflicts with adjacent Extractive Industrial operations can be eliminated through the incorporation of special planning design and construction techniques like landscaping, buffering, setbacks or other mitigation measures. Proposed development shall demonstrate that it will not result in the preclusion or hindrance of the expansion of the mineral aggregate operation or its continued use or will not be incompatible for reasons of nuisance, public health, public safety or environmental impact.

- Existing pits and quarries are permitted to continue without an Official Plan or Zoning By-law amendment. In areas adjacent to, or in known mineral resource areas, development precluding or hindering the establishment of a new mineral resource operation is not permitted unless it can be shown that extraction of the resource is not feasible.
- The expansion of existing licensed pits and quarries and new operations are permitted in the Agricultural Area on prime agricultural lands, provided the lands are rehabilitated to a comparable agricultural soil capability. Complete agricultural rehabilitation is not required if:
 - there is a substantial quantity of mineral resource below the water table warranting extraction;
 - the depth of planned extraction makes restoration of pre-extraction agricultural capability not feasible; and
 - alternative sites on less productive agricultural lands (Classes 4 to 7) have been considered for the operation and found unsuitable. Where no other alternatives are found, prime agricultural lands will be protected in the following order of priority: specialty crop areas (such as in Arkona and West Bosanquet), Class 1, 2 and 3 soils
- Where it is not feasible to return the lands to agriculture, priority should be given to assessing the feasibility of rehabilitation to a use which provides significant social and environmental benefits. The use should result in environmental improvement or net environmental gain. Features such as woodlots, wetlands, fish and wildlife habitat areas, integrated water systems or passive recreational opportunities may be appropriate.
- Resource extraction is discouraged in Provincially significant Natural Heritage Features as identified in the County Official Plan. The Municipality discourages resource extraction in locally significant natural heritage areas and the removal of sizable, healthy woodlots for extraction purposes. Where extraction is permitted, it

should be contingent upon rehabilitation plans that re-establish a comparable or improved natural heritage feature and/or system.

- New operations are not permitted in Hazard and Environmental Protection areas, ESA's or other significant natural heritage features. The removal of woodlots is strongly discouraged. Good stewardship of woodlots on existing land is encouraged.
- The establishment of new operations on lands designated "Extractive" requires a Zoning By-law Amendment. In addition to meeting the requirements of the *Aggregate Resources Act*, applications to consider new or expanded operations will be considered on the basis of:
 - The effect on the water resources, the Natural Heritage System and the Natural Environmental designations within 120 metres of the subject lands through the preparation of an EIS, and a hydrogeology study;
 - The effect on ground water and existing wells surrounding the property including on or adjacent to potential recharge areas;
 - A rehabilitation plan;
 - A site development plan, which includes the following information:
 - i. The shape, topography, contours, dimensions, size and location of the property to be redesignated and/or rezoned as well as the extent of adjacent property held for future pit or quarry operations,
 - ii. A description of the surrounding lands including land uses, location and use of buildings and structures, fences, significant natural features and wells within a distance of 120 metres and other lands owned by the applicant;
 - iii. The location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the property,
 - iv. Existing and anticipated final grades of excavation, shown by contours where necessary, as well as excavation setbacks,
 - v. Drainage provisions,
 - vi. All entrances and exits,
 - vii. As far as possible, ultimate pit development or quarry development, progressive and ultimate road plan, any water diversion or storage, location of stockpiles for stripping and products, progressive and ultimate rehabilitation, and where possible intended use of the land after the extractive operations have ceased, and
 - viii. Cross-sections through the deposit and the estimated quality and quantity of the resource;

- ix. The haulage routes proposed to and from the site, the traffic volumes anticipated and a traffic impact study;
 - x. The effect of the operation on nearby residents including noise, dust and vibration concerns;
 - xi. The effect on archaeological resources and cultural resources;
 - xii. A Planning Assessment Report, which assess land use compatibility and policy conformity issues including the relevant policies of this Plan, except that demonstration of need shall not be required;
 - xiii. For applications on lands currently designated Agricultural Area, the applicant shall further demonstrate that the rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality, including soil capability for agriculture are restored; and
 - xiv. Such other relevant matters, as Council deems necessary.
- Official Plan and Zoning By-law amendments are required for new operations on lands not currently designated “Extractive”. Supporting information will consist of information submitted to MNRF as part of the license application under the *Aggregate Resources Act*, including:
 - location, extent, amount and quality of material to be extracted and the anticipated “active life” of the operation;
 - inventory of existing site conditions and conditions within 500 metres of the site. Lambton Shores may require an EIS for operations within a certain distance of significant natural heritage features, as outlined in Section 3.5;
 - evaluation of potential noise, dust and vibrations impacts on surrounding land uses;
 - the Site Plan, as required under the *Aggregate Resources Act*, showing the proposed operation, as planned and staged;
 - All proposals for new licensed mineral aggregate operations shall include plans for rehabilitation. These rehabilitation plans shall:
 - i) Provide for progressive sequential rehabilitation wherever feasible;
 - ii) Be prepared in detail by a recognized expert under the *Aggregate Resources Act* prior to any approvals being given;
 - iii) Be compatible with the long-term uses permitted by the Official Plan;
 - iv) Provide a detailed agricultural rehabilitation plan where lands have a Class 1, 2 or 3 soil capability. Rehabilitation must ensure that substantially the same acreage and same average soil quality including soil capability for agriculture are restored; and

- v) Consider the surrounding land uses and approved land use designations and recognize the interim nature of extraction.
- All resource extractive uses must satisfy Provincial requirements for water supply, disposal of liquid wastes, pumping operations and the control of noise, dust and vibrations.
- As required by Provincial regulations, rehabilitation plans must use high quality fill material. This is especially important in “Areas Susceptible to Groundwater Contamination”, as shown on **Schedules B and C**.
- In providing comments to the Ministry of Natural Resources and Forestry on an application for license under the *Aggregate Resources Act*, the Municipality shall consider the need for screening, setbacks, fencing, hours of operation, surface and groundwater monitoring, noise, air quality, traffic control, rehabilitation, vibration from blasting, the cumulative effects of the proposed license area together with existing licensed areas on agriculture, environment features, commercial and residential areas and such other relevant matters as are considered appropriate by the Municipality.
- In considering an application to amend the Official Plan and Zoning By-law, Council shall consult with Provincial Ministries and any other agency having jurisdiction to ensure that the activities of, and rehabilitation of, an extractive operation will be carried out in accordance with the appropriate legislation and to ensure that the effects on the social and natural environment are properly considered.

11.4 Temporary Wayside Pits and Quarries and Portable Asphalt and Concrete Plants

As required by the PPS, wayside pits and quarries and portable asphalt and concrete plants for public road construction projects are permitted in all land use designations, except “Hazard and Environmental Protection” lands, ESA’s or other significant natural heritage features or within a certain distance of these features, as outlined in Section 3.5. These uses shall be short-term (less than two years) and closed and rehabilitated to the satisfaction of the Municipality. Portable asphalt and concrete plants will require Site Plan approval and an agreement with Lambton Shores.

USES PERMITTED IN ALL DESIGNATIONS



12. USES PERMITTED IN ALL LANDS USE DESIGNATIONS

12.1 Infrastructure

“Infrastructure” (see definition, Section 2.6) and “public service facilities” (see definition, Section 2.6) are permitted in all land use designations provided that the use:

- Meets Federal and Provincial environmental assessment act requirements
- Optimizes the use of existing infrastructure and public service facilities before developing new facilities
- Is necessary in the area in which it will be located. The location of services on prime agricultural land must be justified
- Proponents of new transportation and utility corridors are required to select routes that use existing easements and rights-of-way and cause the least disruption to the natural environment, farm operations and productivity. All new pipelines should be installed in existing easements. Lambton Shores also encourages the multiple-use of electric power utility rights-of-way to accommodate other service corridors, parking areas, parkland, agriculture and natural gas and oil pipelines.
- Is located, planned and designed in consideration of the resources protected by the PPS and this Official Plan, including significant or sensitive natural heritage, water, agricultural and cultural heritage resources. New facilities are prohibited in ESA's
- Where woodlot locations cannot be avoided, tree cover removed will be replaced with twice the area of tree cover that is removed at a location specified by the affected landowner. The Municipality will work with the County to ensure an appropriate location is selected.
- The environmental policies of this Plan shall apply to the design, construction, site restoration and maintenance of public utilities.
- Identifies opportunities to further protect or enhance natural heritage features. These opportunities will be incorporated into the design of the facility
- Is designed, maintained and used in a manner compatible with surrounding existing and future land uses
- Conforms to the policies included in Section 13 of the Official Plan for infrastructure and public service facilities.

Wayside pits and quarries and portable asphalt and concrete plants for public road construction projects are permitted in all land use designations, with some restrictions. Section 11.4 includes policies for these uses.

Lambton Shores encourages all infrastructure and public service providers to look for tools for re-establishing a better balance between a places's cultural, aesthetic, scenic and other resources with the purpose, planning and design of an infrastructure project. Using a collaborative, multi-disciplinary approach, results in a facility that fits its setting.

12.2 Day Care Centres

The following shall apply to Day Care Centres:

- Day Care Centres shall be permitted on all school sites.
- Day Care Centres shall be permitted within a Place of Worship or other place of public assembly, a place of employment (commercial and/or industrial), a community centre, and all residential designations, subject to provincial licensing policies.
- Day Care Centres shall be designed to provide appropriate facilities for parking, pick-up and drop-off areas.
- Day Care Centres should not be located in lands identified as Group A Natural Heritage Features unless an Environmental Impact Study establishes the appropriate location for the Day Care Centre on the proposed site.
- Day Care Centres shall not be located in hazardous lands (see definitions, Section 2.6) or hazardous sites (not even with a technical study).



13. INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES POLICIES

13.1 Introduction

As explained in the PPS, “healthy liveable communities are sustained by ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.” A full range of infrastructure and public services enables “settlement areas” to be the focus for growth, thereby discouraging growth in agricultural areas and areas with significant or sensitive natural heritage, water, and cultural heritage resources.

“Infrastructure” and “public service facilities” are defined in Section 2.6 of the Official Plan. Consistent with the PPS, Lambton Shores will:

- Provide infrastructure and public service facilities in a coordinated, efficient and cost-effective manner.
- Optimize the use of existing infrastructure and public service facilities before developing new facilities. Optimization reduces the need for new infrastructure, thereby creating significant cost savings and avoiding environmental impacts.
- Integrate planning for infrastructure and public service facilities with planning for growth to meet current and projected servicing needs.

Roads and major services are shown on the schedules to the Official Plan. Infrastructure and public service facilities are permitted in all land use designations, as outlined in Section 12.

13.2 Transportation and Infrastructure Corridors

Consistent with the PPS, the Official Plan’s policies are based on the following transportation principles:

- Provide transportation systems that are safe, energy efficient, facilitate the movement of people and goods and meet projected needs.
- Make efficient use of existing and planned infrastructure.
- Maintain and improve the connectivity among transportation systems and modes, including connections across jurisdictional boundaries.

- Promote a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports alternative transportation modes.
- Integrate transportation and land use planning considerations at all stages of the planning process.

With respect to transportation and infrastructure corridors, the Municipality and other agencies involved in the provision of infrastructure and public service facilities will:

- Plan for and protect corridors and rights-of-way for transportation and infrastructure facilities to meet current and projected needs.
- Preserve and reuse abandoned corridors to maintain the corridor's integrity and continuous linear characteristics. These corridors could be essential for providing future pedestrian and cycling transportation connections between the communities of Lambton Shores, but could also provide for other modes of transport or public services.
- Consider the significant resources protected by Section 2 of the PPS, "Wise Use and Management of Resources", when planning corridors for significant transportation and infrastructure facilities.

13.2.1 Lambton Shores Road Hierarchy

Lambton Shores' hierarchy of roads includes Provincial Highways, County Roads, Arterial, Collector and Local Roads. All roads are shown on the schedules to the Official Plan.

13.2.2 Provincial Highways

Provincial Highway 21 links Lambton Shores with Goderich and Owen Sound, Forest and Sarnia. It is a very busy highway during the summer and is one of Southern Ontario's major scenic tourist routes. Highway 21, under the jurisdiction of the Ministry of Transportation (MTO), is the only Provincial Highway in the Municipality. "Connecting Links" through Forest and Grand Bend are under the jurisdiction of Lambton Shores, but subject to applicable MTO regulations. Outside the connecting links, MTO approval is required. In addition to all applicable municipal requirements, all proposed development, site alteration, infrastructure and public service facilities located adjacent to and in the vicinity of Highway 21 within MTO's permit control area under the *Public Transportation and Highway Improvement Act* (PTHIA) will be subject to MTO approval and its policies, standards and requirements. Direct access will be discouraged and often prohibited.

Early consultation with MTO is encouraged to ensure the integration of municipal planning policies with Provincial transportation planning.

13.2.2.1 Connecting Links

Portions of Provincial Highway 21 located in the communities of Forest and Grand Bend are designated Connecting Links by the Province. Connecting Links are established by the Minister of Transportation by the authority given to him/her under section 21.(1) of the *Public Transportation and Highway Improvement Act*. Despite this designation by the Province, the road authority (Lambton Shores) owning the road allowance is responsible for all aspects of operations, maintenance, and capital repair replacement of the connecting link unless there is some other agreement or arrangement in place. In 2012 the MTO announced that the funding program for connecting links was cancelled.

Sections 31.1, 123.3, and 195.2 of the *Highway Traffic Act* limits what the road authority can or can't do on connecting links without MTO approval. The road authority (Lambton Shores) cannot do any of the following on a connecting link without MTO approval: install traffic controls, regulate traffic, regulate noise fumes or smoke from vehicles, prohibit or regulate the operation of vehicles.

Relevant excerpts from the two Acts regulating Connecting Links are as follows:

Public Transportation and Highway Improvement Act

21.1 (1) The Minister may designate a highway or part of a highway as a connecting link between parts of the King's Highway or as an extension of the King's Highway, to be constructed and maintained by the road authority having jurisdiction over the highway or part of the highway. 1996, c. 1, Sched. M, s. 49.

Highway Traffic Act

(31.1) No traffic control signal system or traffic control signal used in conjunction with a traffic control signal system shall be erected or installed on a highway designated as a connecting link under subsection 21 (1) of the *Public Transportation and Highway Improvement Act* except in accordance with an approval obtained from the Minister or an official of the Ministry authorized by the Minister to grant such approval. 1996, c. 33, s. 14.

195. (1) If a provision of a municipal by-law passed by the council of a municipality or a police services board for,

- (a) regulating traffic on the highways;
- (b) regulating noise, fumes or smoke created by the operation of motor vehicles on the highways; or
- (c) prohibiting or regulating the operation of motor vehicles or any type or class thereof on the highways,

is inconsistent with this Act or the regulations, the provision of the by-law shall be deemed to be repealed upon the inconsistency arising. R.S.O. 1990, c. H.8, s. 195 (1); 1996, c. 33, s. 15 (1); 2002, c. 17, Sched. F, Table.

(2) Repealed: 1996, c. 33, s. 15 (2).

Approval of traffic by-laws for connecting links

(3) If the council of a municipality passes a by-law for a purpose mentioned in clause (1) (a) or (c) that affects traffic on a highway designated as a connecting link under subsection 21 (1) of the *Public Transportation and Highway Improvement Act*, the clerk of the municipality shall file a copy of the by-law with the Ministry within 30 days of its passing, and the by-law shall not become operative until it is approved by the Ministry. 1996, c. 33, s. 15 (2).

By-laws limiting weight on bridges

123. (2) The municipality or other authority having jurisdiction over a bridge may by by-law limit the gross vehicle weight of any vehicle or any class thereof passing over the bridge, and the requirements of subsection (1) with respect to the posting up of notice apply thereto. R.S.O. 1990, c. H.8, s. 123 (2); 1996, c. 33, s. 13 (1); 2002, c. 17, Sched. F, Table.

(3) Despite subsection (2), where the bridge forms part of a highway designated as a connecting link under subsection 21 (1) of the *Public Transportation and Highway Improvement Act*, the by-law shall not become operative until it is approved by the Ministry. 1996, c. 33, s. 13 (2).

13.2.2.2 MTO Permit Requirements

Under PTHIA, a permit is required from MTO to:

- place a building, structure, entrance or any road within 45 metres of the limit of Highway 21 or 180 metres from the centre point of any intersection with the highway;
- place a sign within 400 metres of the limit of the highway; and
- Develop a major use, such as a shopping centre, stadium, fair ground, race track, drive-in theatre or any other purpose that causes persons to congregate in large numbers within 800 metres of the limit of the highway.

MTO may also under the PTHIA and the *Planning Act*:

- require a property owner and/or municipality to undertake a traffic impact study and the design and construction of warranted highway improvements for a proposed development, at their cost, subject to the terms and conditions for the issuance of PTHIA permits; and MTO will provide input and comments on land use planning applications as both a landowner and/or a Provincial public body. MTO may also comment on or make requests on highway related matters, such as road closures or openings
- request the dedication of land under the *Planning Act* for highway widening purposes.

13.2.2.3 MTO Bicycle Policy

The Official Plan includes policies promoting the development of on and off-road walking and cycling trails. The Municipality will consult with MTO's Regional Office, during the design stage, to discuss any proposed facilities that potentially affect Highway 21.

13.2.2.4 Proposed Access Connections onto a Provincial Highway

Lambton Shores will also “pre-consult” with MTO before any new proposed access connection (e.g. public road or signalized intersection) to a Provincial highway is included in an amendment to the Official Plan. Any access connections shown in these plans will be considered conceptual only until final approval is received from MTO. These policies also apply to access connections to municipal crossroads in the vicinity of a Provincial highway.

13.2.2.5 Lot Design of Proposed Subdivisions on a Provincial Highway

Consistent with MTO policy, the Official Plan requires that new Plans of Subdivision/Condominium development adjacent to Highway 21 be designed so that the lots/units back onto the highway and front onto a local internal street.

13.2.2.6 Outdoor Storage on Commercial/Industrial Properties on Provincial Highways

Consistent with MTO interests, the Official Plan requires that outdoor storage associated with commercial and industrial uses is adequately screened or appropriately located in relation to the highway. In this way, outdoor storage will not be visible to or a distraction for the travelling public.

13.2.2.7 Home Occupations, Industries and Businesses Located Adjacent to Provincial Highways

Proposed access to a Provincial highway via a residential or farm entrance will not be permitted for home occupations and industries or businesses that are primarily commercial or industrial in nature and not secondary land uses. Entrances serving these uses to Highway 21 require an entrance permit and a sign permit (if applicable) from MTO. As a condition to these permits, MTO requires the property owner to acknowledge that the use of an existing entrance cannot be converted to a commercial entrance in the future and an additional entrance will not be permitted to accommodate home occupations, industries or businesses. In addition, MTO will not support a future severance that may result from the creation of a separate entrance to a business, in this situation.

13.2.2.8 Access from Lots of Record and Cottage and Recreational Areas

MTO's policy states that every lot of record with highway frontage is entitled to one highway entrance, if no alternative access exists, subject to MTO's permit requirements. However, in lakeshore and cottage areas, MTO will restrict back lots from using other property owner's entrances and require that new development, outside MTO's permit control area, only obtain access to the Provincial highway from existing public roads or new public roads meeting MTO's access management practices and principles.

13.2.2.9 Stormwater Management

MTO approval is required for stormwater management plans or reports for lands adjacent to or located in the vicinity of Highway 21, in cases where drainage will have downstream impacts on the highway.

13.2.2.10 Recreational Trail Crossings

Any proposals for snowmobile or recreational trail crossings of Highway 21 require MTO approval. Crossings may be permitted subject to restrictions. MTO does not permit trails within its rights-of-way, unless special permission is granted.

13.2.2.11 Wayside Pits and Quarries and Portable Asphalt and Concrete Plants

As outlined in Section 11.4, wayside pits and quarries and portable asphalt and concrete plants are permitted in all land use designations, with some restrictions. For portable asphalt and concrete plants, the contractor for a public authority contract must enter into an agreement with the Municipality.

13.2.2.12 MTO Patrol Yards

The Municipality is aware of the potential for conflict (e.g. night noise, lighting) potentially resulting from locating residential land uses next to patrol yards. Only those land uses deemed to be compatible with the operation of a patrol yard will be permitted adjacent or close to the yard.

13.2.2.13 MTO-Owned Lands

MTO is a landowner in Lambton Shores, including areas where MTO has purchased property to accommodate future improvements. In some cases, surplus land is not part of a designated highway right-of-way, but simply land that MTO owns. MTO may comment on the land use designation of adjacent lands that potentially impact provincially owned lands. Highway 21, under the jurisdiction of the Ministry of Transportation (MTO), is the only Provincial Highway in the Municipality. “Connecting Links” through Forest and Grand Bend are under the jurisdiction of Lambton Shores. Outside the connecting links, MTO approval is required for any new public roads, access points or development proposals along the highway, as outlined in Section 13.2.2.

13.2.3 Arterial Roads

Roads under the jurisdiction of Lambton County in Lambton Shores are “Arterial Roads” that carry large volumes of traffic within and through the Municipality. In addition, those parts of Highway 21, designated connecting links are arterial roads. As well, Main Street East in Grand Bend is an arterial road. Direct access from Local Roads and abutting properties is discouraged, except where no alternatives are available. The minimum

right-of-way width is 30 metres for County Roads. The County may consider a reduced right-of-way width in special circumstances, provided the long-term capacity of the road is not reduced. “Special circumstances” include urban settings and areas with significant agricultural, natural or cultural features.

Land uses that generate high volumes of traffic, including truck traffic, are encouraged to locate on Arterial Roads. Truck traffic will be encouraged to use Arterial Roads, rather than Collector or Local Roads. Other policies for Arterial Roads are:

- In developed areas, existing Arterial Road intersections will be improved as required.
- To preserve traffic capacity and safety, new access points to Arterial Roads are discouraged where development has suitable access to a local road. To ensure traffic safety, new accesses will only be permitted in areas with adequate sight lines.
- All new intersections will be adequately spaced and provided with necessary traffic control equipment and turning lanes, to maintain a safe and desirable movement of vehicular and pedestrian traffic.
- Arterial road widenings should be designed to accommodate off-road bike paths, as outlined in Section 13.2.8.
- The Zoning By-law will include minimum setbacks along Arterial Roads to ensure that adequate land is available for the construction of future multi-use trails, road widenings, turning lanes, etc.
- Proposed development adjacent to and in the vicinity of a County Road will be subject to review by County of Lambton. Early consultation with County of Lambton is encouraged by development proponents.

13.2.4 Collector Roads

The Official Plan discourages direct driveway access from low density residential uses to Collector Roads. Reverse frontages should be used, where possible. A minimum right-of-way width of 26 metres is required for Collector Roads.

Collector Roads carry traffic volumes to and from major traffic generators or within or between residential neighbourhoods. Roads designated as Collector Road in the Municipality are as follows:

- Army Camp Road, west of Highway 21;
- Ipperwash Road, west of Highway 21;

- West Ipperwash Road (Ipperwash)
- Parkway Drive, East and West (Ipperwash)
- Port Franks Road, west of Highway 21 (Port Franks);
- Union St. (Forest);
- Main Street from Kings St. to Townsend Line (Forest);
- Broadway Street from Main Street to Townsend Line (Forest)
- Main Street West (Grand Bend);
- Ravenswood Line
- Outer Drive
- Lake Road
- Government Road

Other policies include:

- Direct driveway access to Collector Roads from low density residential uses will generally be discouraged, where possible.
- Collector Road intersections will be adequately spaced to ensure the safe and desirable movement of traffic, pedestrians and bicycles.
- Collector road widenings should be designed to accommodate bike paths, as outlined in Section 13.2.8.
- Collector Roads will be located and designed to discourage through vehicular traffic in residential neighbourhoods.

13.2.5 Local Roads

Local Roads should have a minimum right-of-way width of 20 metres or 15 metres, where alternative development standards are considered appropriate. Local Roads provide unrestricted access from abutting properties to the municipal road system.

13.2.6 Road Widenings and Improvements

As a condition to the approval of a Plan of Subdivision/Condominium, consent for land severance or Site Plan approval, Lambton Shores or the County of Lambton may require a Traffic Study to determine required road improvements. The following policies apply:

- Lambton Shores may require the dedication of new roads or land for road widenings where the right-of-way width is less than required by the Official Plan. Road dedications exceeding the noted standards may also be required for daylighting, bridges, and for future roundabouts where arterial roads intersect or where roundabouts may otherwise be planned.
- Land will be conveyed at no expense to the Municipality.
- The developer will be required to finance and install any necessary road improvements, including turning lanes, signalization, etc.
- Road widenings may be unequal (where a greater widening is required on one side) to avoid significant agricultural, natural or cultural features or existing and future land uses.
- All road widening projects must include a Landscape Plan. Any roadside trees and vegetation destroyed for road widenings must be replaced with native species.
- Right-of-way width requirements for a specific section of road may be reduced in “special circumstances” (as defined in the Arterial Roads policies section), provided the long-term capacity of the road is not affected.
- Road widenings and improvements, except for those included in an approved Plan of Subdivision/Condominium or land severance, are subject to the requirements of the Ontario *Environmental Assessment Act*.

13.2.7 Parking and Loading

The Zoning By-law includes minimum off-street parking and loading requirements, based on the amount of traffic generated by a particular use. The following policies apply to parking and loading:

- On-street parking is generally discouraged except on Local Roads.
- Off-street parking facilities will include accessible parking spaces.
- Off-street parking and loading facilities will generally be provided on the same lot as the development they serve.
- All new parking lots will provide bicycle parking areas and facilities.

- The Municipality may accept cash in lieu of parking and/or reduce or eliminate the parking rates required by the Zoning By-law in the Municipality's downtown commercial areas or in areas where the Municipality is able to provide adequate Municipal parking. Residential uses and short term accommodations such as hotels and short term rentals however must provide adequate on-site parking.

Policies applying to the design of parking and loading facilities include:

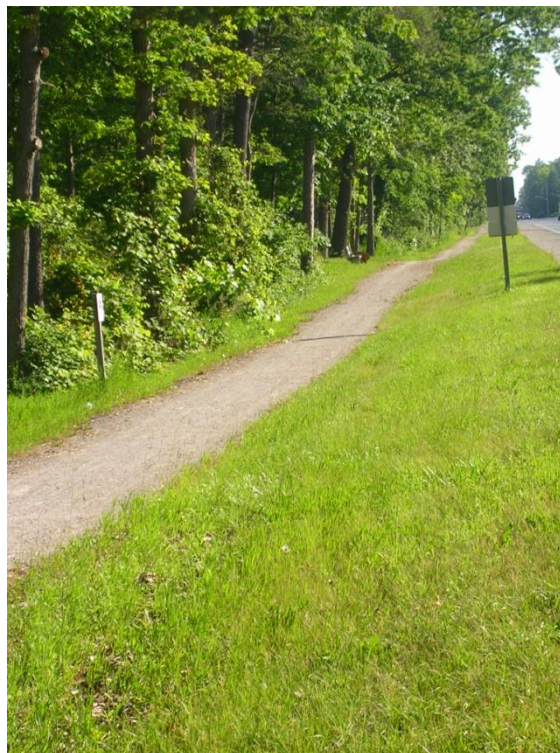
- Parking and loading facilities should generally be located behind businesses and not front onto major commercial streets. This helps maintain a continuous business frontage and ensure that parking is not the predominant view from the road.
- Parking lots will include pedestrian walkways connected to commercial areas, area attractions and other parking lots.
- All parking and loading areas will be landscaped and buffered to ensure compatibility with surrounding uses.

13.2.8 Pedestrian Facilities, Trails and Bike Paths

- In urban centres, all development will provide adequate sidewalks and walkways to accommodate pedestrians. Sidewalks are required in:
 - All "Residential" areas in Forest, Grand Bend, Arkona and Thedford, where warranted by vehicular or pedestrian traffic volumes. To maintain the existing tree cover and natural vegetation, sidewalks may not be required in the "Grand Bend Residential" area.
 - On both sides of the street in downtown commercial areas in Forest, Grand Bend, Arkona and Thedford.
 - Along both sides of Arterial Roads in urban centres. Crosswalks and "pedestrian friendly" traffic signals will be provided at busy intersections.
 - Along both sides of Collector Roads and one side of Local Roads, where warranted by vehicular or pedestrian traffic volumes.
- The Municipality encourages the incorporation of pedestrian/bike paths into the design of all new construction and re-construction of municipal roads.

- Sidewalks will be separated from road pavement by boulevards in all new residential subdivisions, where possible. Municipal boulevards and medians should be vegetated with alternative ground cover, instead of grass, to avoid mowing.

Lambton Shores will promote walking and cycling as alternative modes of transportation, especially in areas congested with summer traffic, such as Grand Bend. Walking and cycling also contribute to an active, healthy lifestyle. To enhance walking and cycling as a transportation choice, the Municipality may undertake the development of a 'Trails /Active Transportation Master Plan' that establishes a comprehensive and systematic framework that defines the vision and addresses needs



through long-range planning for the local trails system. The 'Trails /Active Transportation Master Plan' should cover such matters as the location of on and off-road routes, design, maintenance, safety and public education. Scooters for the disabled and elderly could also be accommodated.

The Municipality plans to continue to develop its trails system as part of its core level of service, specifically with the following key objectives:

- Continue to promote connectivity within the trails system, both at a municipal and regional level, to the greatest degree possible.
- Promote municipal trail infrastructure for multi-seasonal active transportation choices, as appropriate.
- Prior to undertaking any trail development, the Municipality should explore partnerships with community-based or regional organizations with an interest in the construction, maintenance or level of amenity/quality of the trail.
- The Municipality should consider the usage of dedicated parkland for trails should development be occurring at an appropriate location.
- The Municipality should make every effort to provide suitable parking and amenities (e.g., washrooms, benches, equine facilities, etc.) at key access points / trailheads.

- The Municipality should pursue the enhancement of connectivity along waterfront trail systems; this undertaking would require partnerships with non-municipal and private landowners.
- A large portion of the system will be off-road to enhance safety and enjoyment. The on-road portion of the system will provide linkages to major activity centres, employment nodes and commercial areas. Potential routes include strategically planned collector and local streets serving main destinations in Lambton Shores. The Municipality also supports the construction of exclusive on-road bicycle lanes and widened curb lanes on designated collector roads serving main destinations.
- Off-road paths through open space areas and corridors must not adversely affect significant environmental features or functions.
- Where bicycle lanes are located on a paved roadway surface, the Municipality will ensure that grating and on-street facilities do not create a safety hazard.
- Where possible, the location of the bicycle route system will take advantage of existing and potential road crossings and abandoned railway rights-of-way.
- The Municipality will work with Lambton County to review the potential of connecting natural heritage features where appropriate and more broadly links within settlement areas.
- Development proposals will be reviewed in partnership with Lambton County to identify opportunities for trail development. Land dedication for trail purposes may be a requirement of development approval.

To minimize walking distances between residential areas and major activity centres, all new development will be designed to include pedestrian walkways or multi-use trails to accommodate bicycles, wherever practical. Opportunities to connect proposed developments with existing trails will also be identified during the approval process and provided as a condition to Subdivision/Condominium and Site Plan approval. In addition, pedestrian walkways and multi-use pathways will be considered during Official Plan reviews and the preparation of Secondary Plans. All routes must contribute to the development of linkages or extend existing routes.

All multi-use trails must be designed to minimize conflicts between pedestrians and cyclists. Pedestrian and bicycle routes will be separated by “gentle reminder” signage, symbols or distinct surface treatments.

Lambton Shores may provide bicycle parking areas at Municipally owned and operated facilities. All new parking lots in Lambton Shores will be required to provide bike parking.

To create a comprehensive network of trails, the Official Plan identifies opportunities in all Planning Areas for the establishment of new trails and/or links to existing trails. Major components of the existing trail system include the Grand Bend Rotary Nature Trail, opened in 1997 to connect Grand Bend and Pinery Provincial Park, trails within Pinery Park and the Lambton County Heritage Forest in Port Franks, the addition of bike lanes and establishment of the Great Lakes Waterfront Trail, and the old rail trail in and west of Forest. Potential new trails have been identified in:

- Arkona to the Rock Glen Falls Conservation Area trails; and
- Thedford along the old railway right-of-way.

Lambton Shores values its partnerships with service clubs, community groups, businesses and individuals who are filling a void by supporting the implementation of recreational facilities and trails.

13.2.9 Other Transportation Policies

Other transportation policies include:

- Substantial development has occurred on private roads along the lakeshore. New development is prohibited on private roads, with the exception of infilling with single detached residences on existing lots or lots in approved Plans of Subdivision. No new lot creation is permitted on private roads.
- Aside from roads shown on a Plan of Condominium, no new private roads will be permitted in Lambton Shores. The municipality will not assume any existing private roads until the roads are brought up to an acceptable municipal standard.
- Water access is only allowed for “The Island” in the Port Franks-Northville Planning Area, a seasonal cottage area accessible only by water. The municipality assumes no responsibility or liability for access to this area.
- To minimize costs and the environmental impacts associated with mowing road rights-of-way, Lambton Shores may require the use of alternative ground cover that does not require mowing.
- Landscaping and other techniques that minimize the visual and noise impacts from roadways on adjacent residential development or in the immediate vicinity of existing or proposed arterial roads, may be required or used.

13.2.10 Road Needs Study

The Municipality has recently approved a road needs study, which will be utilized by the Municipality to prioritize road construction and reconstruction.

13.2.11 Heritage Roads

- The Municipality should identify, conserve and manage heritage roads and associated features where such roads exhibit one or more of the following:
 - Indigenous history;
 - Historical association with a theme of human history (Indigenous or European) that is representative of the development and use of land in the Municipality;
 - Historical associations with the life or activities of a person, group, or organization that has made significant contribution to the community, province, or nation;
 - Scenic routes with a sense of position or place.
- Heritage roads should be conserved and protected by the appropriate road authority and should endeavour to protect:
 - Existing road surface widths where they contribute to the heritage character of the road;
 - Existing trees and tree lines within the road allowance;
 - Other vegetation, plantings and features such as boulevards, hedgerows, ditches, grassed areas and fence lines;
 - Transportation related heritage features where they contribute to the specific character of the road.

13.3 Water and Sanitary Sewage Servicing Policies

Consistent with Section 1.6.6 of the PPS, the Lambton Shores' Official Plan:

- directs growth in a manner that promotes the efficient use of existing municipal sewage and water services;
- ensures that these systems:
 - can be sustained by the water resources on which they rely;

- are financially viable and comply with all regulatory requirements; and
- protect human health and the natural environment;
- promotes water conservation and efficient water use; and
- integrates servicing and land use considerations at all stages of the planning process.

Also consistent with the PPS, the Official Plan is based on the following servicing hierarchy:

- Municipal sewage services are the preferred form of servicing for new development and the required form of servicing for new development in Lambton Shores' urban areas, including Forest, Grand Bend, Arkona and Thedford. (Section 1.6.6.2 of the PPS).
- Where municipal sewage services are not available, private communal sanitary sewage services are discouraged but may be permitted subject to approval of the Municipality and Ministry of Environment, Conservation and Parks and subject to the Municipality being satisfied that it incurs no undue liability and that reserve sewage system capacity (see definition, Section 2.6) exists.
- Individual on-site sewage services may be used in areas where municipal sewage services are not available and where private communal sewage services are not practical, where (Section 1.6.6.5 of the PPS):
 - they are necessary to address failed individual on-site sewage systems in existing developed areas; and
 - they are within settlement areas (see definition, Section 2.6), to allow for infilling and minor rounding out of existing development:

Subject to the following conditions:

- provided that site conditions are suitable for the long-term provision of such services with no negative impacts (see definition, Section 2.6)
- new lot creation is limited to five lots or less from a lot existing on the day of approval of this Plan;
- Infilling and minor rounding out of development shall generally exclude developments that create new public or private streets and/or partial development of lots with greater long-term development potential;

- Hydro-geotechnical studies may be required as a condition of development approvals or as part of a complete application. Such studies will assess whether a lot's size and site conditions are sufficient for individual on-site sewage services and/or to make recommendations for the type of system required. The Municipality may require that these studies be attached to development agreements and/or registered on title;
- The approval and support of the Municipality and the County of Lambton is obtained;
- the Municipality being satisfied that reserve sewage system capacity (see definition, Section 2.6) exists (Section 1.6.6.5 and 1.6.6.6 of the PPS); and,
- The proposed system is consistent with the natural heritage policies of this Plan and the Source Water Protection Policies of this Plan.

To help identify systems in need of repair and replacement, the Municipality intends to work with the County of Lambton to review existing individual on-site sewage systems where properties require approvals under the *Planning Act*. Where required, repairs or replacements will be a condition of planning approvals.

Individual on-site sewage services may be used for existing and new agricultural uses and for residences surplus to a farming operation (see definition, Section 2.6) in the Agricultural Planning Area and agricultural portions of other planning areas.

Municipal water service (see definition, Section 2.6) is required for all new development in Lambton Shores' Planning Areas and for non-agricultural uses in the Agricultural Planning Area and agricultural portions of other planning areas.

Individual on-site water services are permitted for existing and new agricultural uses in the Agricultural Planning Area and agricultural portions of other planning areas.

13.3.1 Water Services

Lambton Shores is responsible for the operation and maintenance of the Municipality's water supply system. The Municipality is supplied with water from the Lake Huron Primary Water Supply System (LHPWSS) and the Lambton Area Water Supply System (LAWSS).

The LHPWSS treatment plant is located at Port Blake on Lake Huron, north of Grand Bend in South Huron. Portions of Lambton Shores served by the Port Blake plant include

Grand Bend, the built-up area along Highway 21, and the Lake Huron shoreline to Ipperwash, Thedford and Arkona. The LAWSS is located in Sarnia on Lake Huron at the St. Clair River. It serves six municipalities in Lambton County, including part of Lambton Shores. Areas serviced include Forest, the Lake Huron shoreline west of Ipperwash and Highway 21 from Townsend Line to Ravenswood.

In 2008, Lambton Shores completed the installation of watermain in the rural area as part of the Rural Watermain Program. This program was started in 2000 by the former Town of Bosanquet to deal with the historical lack of potable water.

New subdivisions shall be serviced with looped water lines. The provision of subdivision layouts that allow the looping of new waterlines shall be required wherever possible.

Individual on-site water services are allowed for agricultural uses in the agricultural portions of the Municipality, as outlined in Section 13.3. Proof must be provided that water quality and quantity are adequate and piped water is not available. Industrial users may use municipal water or well water for heating and cooling purposes, subject to approval from the Municipality and MOE. High volume industrial users may be required to enter into an agreement with the Municipality and require a Permit to Take Water from MOE. Any and all studies will be at the proponent's expense.

13.3.2 Sanitary Sewage Services

The Municipality owns and operates five sewage treatment facilities that service Forest, Grand Bend, Arkona, Thedford and the Indian Hills Golf Course and adjacent subdivision.

Long-range servicing plans include:

- Long-term expansion of Pumping Station #2 (on Main St East at Gill Road) in Grand Bend and the forcemain from Pumping Station #2 to the Grand Bend Sewage Treatment Facility.
- The possible construction of a new sewage treatment facility or facilities in the West Bosanquet Planning Area to service existing and future development in the West Bosanquet Planning Area. Private construction of a facility to eventually be assumed by the Municipality may be required as a condition of development approval, in which case the Municipality will require the proponent to show the long term financial feasibility of the facility, and such facility shall be expandable.

At this time

- The Arkona Sewage Treatment Plant has adequate capacity to service future development.
- Thedford Sewage Treatment Facility has adequate capacity to service future development but may require upgrades for treatment.
- The Indian Hills package sewage treatment plant is not expandable.

In keeping with Section 5.4 all large scale development must be serviced by municipal water and municipal sewage services and in compliance with Section 13.3 unless otherwise provided for in Section 13.3. The Municipality may pass a by-law under the *Municipal Act* defining areas where water and sewer connections are mandatory.

Subject to the policies of Section 13.3 the Lambton County Building Services Department regulates and approves individual on-site systems in Lambton Shores. Certain criteria must be met, including lot size, percolation tests, compliance with MOE's Reasonable Use Guidelines and the provision of a reserve area for a replacement septic system.

Subject to the Ontario Class Environmental Assessment process, the Provincial Policy Statement (PPS 2020), and policy statements of Section 13.3 of this Plan, the provision of municipal sanitary sewage collection and treatment systems in areas of Lambton Shores currently on private septic systems may be considered to accommodate new or existing development and to protect human health and the natural environment. Notwithstanding the cause for considering the provision of new municipal sanitary sewage collection and treatment systems, any such project is subject to the regulated public process in effect at the time.

Development within an area serviced with municipal sanitary sewers will only be permitted where it can be demonstrated that reserve sewage system capacity exists. Demonstration may be required through a Servicing Study at the expense of the proponent. Developments will generally not be approved that exceed the capacity of a sewage treatment facility, unless a provision for an expanded sewage system capacity exists. The Official Plan permits the reallocation of sewage capacity to other proposed development when an existing draft Plan of Subdivision/Condominium approval has expired or as a condition of extending a draft approval.

Buffers shown around sewage treatment facilities in Forest, Grand Bend, Arkona and Thedford are required by MOE guidelines. MOE's guidelines include recommended separation distances, depending on the size and type of the treatment facility, to minimize

the impact of odours and noise on “sensitive” adjoining land uses. The Grand Bend and Forest Sewage Treatment Facilities are required to have a 150 metre buffer, while 100 metre buffers are required for the Arkona and Thedford plants. “Sensitive” uses include residential, institutional, certain recreational uses and some agricultural operations, including cattle raising and orchards.

13.4 Storm Water Management

13.4.1 Introduction

The Lambton Shores’ Official Plan stormwater management (SWM) policies are based on the following general policy from MOE’s Stormwater Management Planning and Design Manual, 2003:

Good planning which has regard for the need for stormwater management at the outset, combined with a recognition of the ecological attributes and functions of the watershed, provides the fundamental basis for achieving stormwater quality and quantity improvement efficiently and cost effectively. At this scale, stormwater management opportunities afforded by the physiographic and ecological features of the watershed can be identified and capitalized upon. Areas where soils are permeable and suited to infiltration, existing vegetation communities which can function as biofilters and landforms that are naturally conducive to the implementation of detention initiatives will all be identified along with a suite of other characteristics which may be preserved or modified to achieve stormwater management objectives. The watershed planning approach, which is now ingrained within the municipal planning process, ensures that the important features and other interrelated factors are identified and understood at a regional scale. As a result, stormwater management opportunities afforded by the existing natural heritage features and functional system are identified early in the process. This helps ensure that these opportunities will not be overlooked or lost when stormwater management initiatives are implemented at a site-specific scale.

Lambton Shores requires SWM quality and quantity controls for all developments in accordance with Provincial policies/guidelines, this Official Plan and Conservation Authority policies. In addition, all SWM facilities will be designed to comply with the Municipality’s “Municipal Development and Servicing Standards”.

13.4.2 Objectives

The Official Plan's SWM policies are based on the following objectives:

- Prevent loss of life and minimize property damage and health hazards caused by flooding, erosion, or other mismanagement of stormwater runoff, leading to the degradation of natural and man-made surface drainage features.
- Minimize inconvenience, damage, and maintain emergency access during periods of flooding and excessive surface ponding, either on-site or downstream of the subject lands.
- Protect, both in terms of quality and quantity, groundwater recharge and minimize impacts on local groundwater resources.
- Through promotion and efficient use of SWM techniques, protect and enhance hydrology, geomorphology, water quality and the quality of aquatic and fish habitat, allowing development to progress in an orderly, cost-effective, and environmentally sound fashion.
- Protect base-flow and regulate water levels in receiving water systems by managing surface water resources and maintaining existing watershed boundaries and hydrologic and hydraulic functions.
- Minimize the effects of erosion and sediment transport from construction activities on sewerage systems, SWM systems and receiving water systems, by promoting the use of sediment and erosion control Best Management Practices (BMPs).
- The Municipality recognizes that there are stormwater management issues in existing developed areas of the Municipality. It is the Municipality's intention to address these existing issues as the needs arise in a comprehensive manner.
- Planning for stormwater management shall:
 - Be integrated with planning for water and wastewater;
 - Be designed to Ministry standards respecting minimum quantity and quality standards;
 - Promote water conservation and efficiency;
 - Support the use of green infrastructure;
 - Promote a healthier natural environment including water quantity and quality; and,
 - Ensure financial viability of stormwater infrastructure.

13.4.3 Policies

Lambton Shores requires effective SWM to control flooding, erosion and sedimentation from development and enhance the water quality, environmental, aesthetic and recreational potential of the Municipality's water resources.

Based on the extent of site-works proposed for a development or the inherent environmental sensitivity of the site, the Municipality may determine that SWM measures are required. The proponent may be required to submit a SWM Report to address SWM issues, Best Management Practices (BMP's) and the application of applicable design criteria from a relevant subwatershed study. The SWM Report will be prepared as determined by the Municipality in consultation with appropriate agencies. Based on consultation with the Conservation Authority to determine a preferred SWM strategy, the report may include any or all of the following:

- a SWM Plan to address SWM issues, BMP's, development criteria and SWM targets from the applicable Subwatershed Report or as established by the Conservation Authority;
- a scheme for the provision of stormwater drainage facilities to accommodate the development;
- a plan for the control of erosion and sedimentation to minimize the impact of the proposed development on any watercourse;
- measures to mitigate any quality degradation likely to result from the development;
- a grading plan, depicting major and minor system flow routes, for the proposed development;
- best management practices for water conservation and efficiency;
- the use of Low Impact Development approaches, in circumstances where they are deemed viable; and,
- minimize the impact of large impervious surfaces through pervious surface treatments, landscaping, and other on-site design and management practices.

The SWM Report will comply with Lambton Shores' "Municipal Development and Servicing Standards". Servicing Studies, where required, will also include a SWM Report.

The Conceptual SWM Plan will provide the overall framework, objectives, and environmental protection targets for the preparation of the Servicing Study/SWM Report. The Conceptual SWM Plan must be prepared based on the following guiding principles:

- prevent the loss of life and reduce property damage;

- mitigate the impact of proposed development on the environment and existing overland stormwater flows;
- control erosion, sedimentation and pollution likely to result from development projects;
- reduce on-site and downstream ponding and flooding;
- protect and enhance water quality and baseflow in receiving watercourses;
- protect groundwater recharge/discharge areas;
- reduce the total cost of a stormwater drainage system and related works;
- stormwater retention/detention or other management facilities may be integrated into open space areas, provided the overall function of the open space area is protected; and
- any other criteria or guidelines which, in the opinion the Municipality or Conservation Authority, are required to regulate development to achieve effective SWM in the subcatchment or tributary

Any subsequent SWM Reports will be based on the Conceptual SWM Plan.

In areas where a Servicing Study/SWM Report has been prepared, all applications for Draft Plans of Subdivision/Condominium, Site Plan, building permits for non-residential development and rezoning must demonstrate that the proposed development will comply with the Servicing Study/SWM Report. In some cases, the Municipality may determine that it is impractical to initially implement all, or a portion of, stormwater management measures due to constraints such as:

- small lot/property parcel sizes;
- Small-scale developments, or
- Site conditions or fragmented land ownership.

The Municipality of Lambton Shores may revise its current technical guidelines to assist in the development of SWM plans or reports and the design of effective SWM measures. The revised technical guidelines may include, amongst other things:

- the methodology and standards for establishing design flows and runoff volumes;
- specific design information and details to be shown on development plans;
- technical guidance or tabular summaries used to illustrate water quality and quantity control rates for SWM facilities;
- SWM facility design standards and requirements; and

- specific requirements for the preparation of erosion and sediment control plans for construction.

The Municipality recognizes the potentially high cost of stormwater management in terms of engineering and construction fees and the barrier this can be to the establishment or expansion of small businesses and institutions. The Municipality may determine no need for stormwater management measures for minor extensions of buildings, parking areas, or other hard surfaces, or on small sites where the ability to provide retention does not exist. The Municipality may accept non-engineered control measures that will obviously address quality and/or quantity control adequately and produce no adverse effects on neighbouring properties or watercourses. Such determinations shall be at the discretion of the municipal engineer and, if the engineer deems necessary, in consultation with the Conservation Authority.

13.5 Solid Waste Management

The County of Lambton owns five landfills and is responsible for the disposal of municipal waste. Several privately owned landfills are also located in the County. As designated by the County, Lambton Shores uses the Watford Landfill and Canadian Waste Petrolia Site for municipal waste disposal. The Municipality does not support the use of land in the Municipality for the disposal of municipal waste.

The Municipality, in partnership with the Bluewater Recycling Association, is responsible for the 3R's, reduction, reuse and recycling to reduce waste and extend the life of landfills and the collection of municipal waste. Originally founded in Bosanquet,

Bluewater Recycling has been in operation for more than 20 years and was one the first rural residential recycling programs in Ontario. Lambton Shores operates a compost site and along with Bluewater Recycling, has recently initiated an e-waste recycling program for old televisions, computers and computer components.

13.6 Infrastructure Design Guidelines and Construction Standards

Lambton Shores "Municipal Development and Servicing Standards", applies to all new development. The document includes guidelines and standards for the design and construction of municipal services, lot development, Plan of Subdivision/Condominium approval and Site Plan approval. Municipal services covered by the guidelines include storm sewers, sanitary sewers, watermains, roads, lot grading, parkland/landscaping,

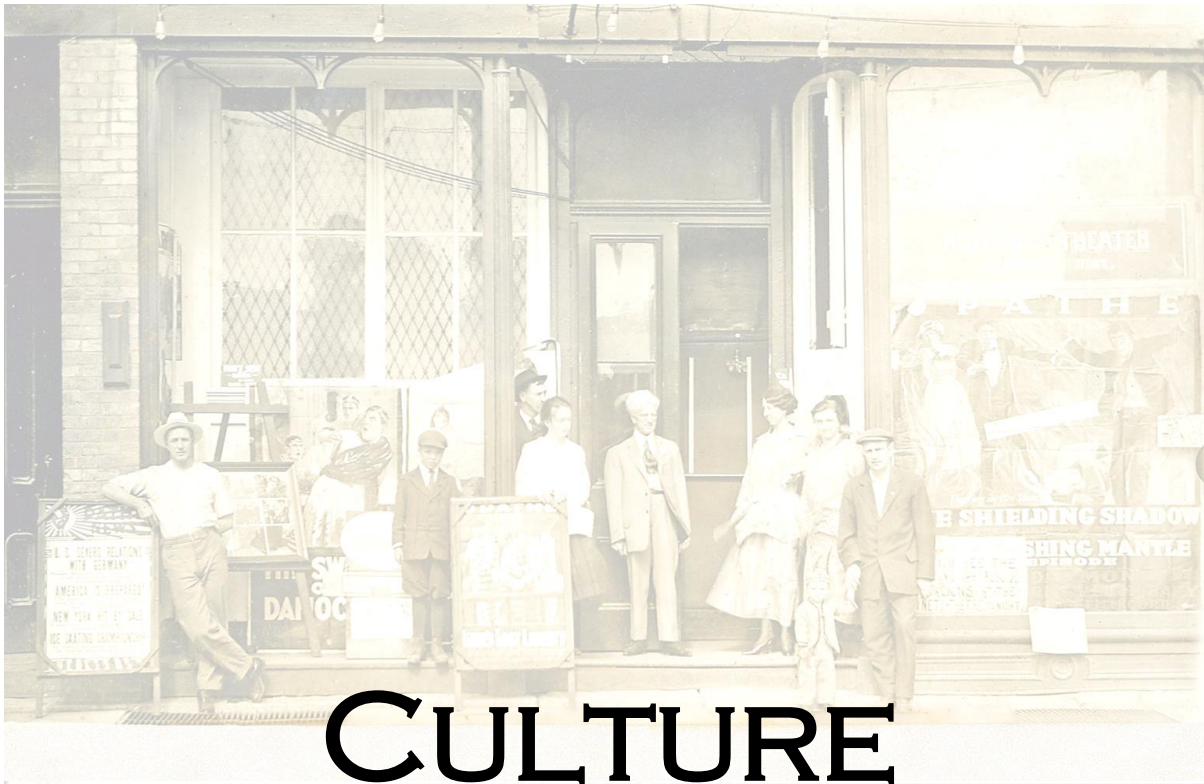
street lighting and utility locations. The guidelines may require that bike/walkway path be integrated, where feasible and necessary, as part of any road reconstruction project.

13.7 Railways

The Municipality of Lambton Shores contains no active railways. Except for portions within the Village of Forest and west of Forest to Brush Road, all former railway corridors have been conveyed into private ownership, including their extensions in abutting Municipalities.

The Municipality has established a walking trail within the former rail line corridor between Forest and Brush Road and will retain ownership for that purpose and for potential future transportation, utility, and other recreational uses.

Dissolving what little remains of the abandoned rail line corridor within the bounds of the Village of Forest is discouraged, but may be permitted where it enables the development of adjacent lands and after giving consideration to potential for future transportation, utility, or recreation purposes.



14. CULTURE

The term “Culture” includes the arts, cultural industries and heritage resources, including aboriginal lore. The “arts” include music, theatre, dance, visual art, media arts and literature. The “cultural industries” include film, television, music, recording, publishing and multimedia. “Heritage resources” include oral traditions. Cultural landscapes, archeological sites, structures, artefacts and associated record.

14.1 Archaeology

14.1.1 Archaeological Resources

Archaeological sites represent the remains of any past human use of a locale. In Lambton Shores, this could be a place where a 15th century Algonquin village once stood, a place where hunters made tools from Kettle Point chert or the site of a shanty built by an early Euro-Canadian settler. A long forgotten pioneer family cemetery is another example of an archaeological resource (see definition, Section 2.6). The Official Plan’s policies for the identification and preservation of archaeological resources are based on a comprehensive background study prepared for the Official Plan by Fisher Archaeological Consulting.

Lambton Shores has rich cultural resources spanning a time period of more than 11,000 years. Recognizing the Municipality’s environmental and cultural sensitivities and the First Nation presence in Lambton Shores over the millennia, the Official Plan includes enhanced strategies to preserve archaeological resources. Since Arkona and Grand Bend were both early settlements in Lambton County, the Plan also focuses on the protection of Euro-Canadian archaeological resources.

First Nations people have inhabited Lambton Shores since the Late Wisconsin ice sheet receded. After the final retreat of the glaciers and the opening up of the Great Lakes basin, people moved into what is now known as the Province of Ontario. Ontario has been inhabited by First Nations peoples for at least 11,400 years, extending from the Paleo-Indians (9,300 B.C. to 8,000 B.C.), through the Archaic horizon and Early to Middle Woodland periods to the Late Woodlands people (around 800 A.D. to 1650 A.D., the post-European contact period). The Paleo-Indians were characterized by their use of primary rock sources for making stone tools, including chert from Kettle Point. The Late Woodlands people introduced domesticated corn and established villages on upland locales based on an agricultural economy.

Over 150 archaeological sites are currently registered in Lambton Shores, representing all time periods of human habitation in Ontario. The majority of sites are from the

Woodlands period, followed by the Archaic period, with a few sites from the Paleo-Indian and Euro-Canadian periods. Overall, the Municipality has high archaeological potential for the discovery of many more sites. Areas of archaeological potential (see definition, Section 2.6) of lands in the Municipality is shown on **Schedule D** to the Official Plan, Archaeological and Built Heritage Resources, and includes the following areas:

- “Zone A” has extremely high archaeological potential and includes lands along the lakeshore from south of Grand Bend to Kettle Point⁴. The area of Plainfield Sand, including the dunes along the lakeshore, has an extremely high potential for the discovery of unmarked Aboriginal burials. The Wyoming Moraine, the relic beach ridge of glacial Lake Algonquin, is also included in Zone A. This beach was contemporaneous with the Paleo-Indian people of Lambton Shores
- The remainder of the Municipality consists of “Zone B” areas. This area includes:
 - “Areas of High Archaeological Potential” consisting mostly of lands along watercourses, as shown on **Schedule D**
 - areas with low archaeological potential
- Other features shown on **Schedule D** are Euro-Canadian and include:
 - Historic Village Areas, including Forest, Brewster’s Mills (Grand Bend), Port Franks, Arkona, Thedford and Kinnaird, and the no longer extant historic village of Widder/Pine Hill
 - Cemeteries, including “Cemeteries of Concern” in Forest, Port Franks, and on Lot 67, Lake Road West in West Bosanquet
 - 19th century schools, churches and industrial structures
 - Historic roadways and railways, including a 100 metre zone on either side of roads and a 50 metre zone for railways, with high potential for Euro-Canadian sites.

14.1.2 Policies

⁴ Kettle and Stony Point First Nation, former Ipperwash Provincial Park and the former Camp Ipperwash are outside of the Municipality’s jurisdiction and not subject to this Official Plan.

Consistent with the PPS, development, site alteration, infrastructure and public service facilities on lands containing archaeological resources (see definition, Section 2.6) or areas of archaeological potential (see definition, Section 2.6) shown on Schedule D are permitted only if the significant archaeological resources (See definition, Section 2.6) have been conserved in a manner that ensures their cultural heritage value or interest is retained. This shall be achieved by the implementation of recommendations set out in an archaeological assessment. To address development impacts on an archaeological site with a level of cultural heritage value or interest that has been determined to require mitigation, there are two approaches for mitigation of development impacts:

- avoidance and protection
- excavation

Avoidance and protection preserves archaeological sites intact. It is the preferred option for the mitigation of impacts to archaeological sites. Avoidance and protection are most viable when the cultural heritage value or interest of the archaeological site is determined early in the planning stages of the development, when plans are most flexible.

Archaeological consultants must be licensed by the Ministry of Culture, under the Ontario *Heritage Act*, and follow Technical Guidelines issued by the Ministry for completing archaeological assessments. Completed as part of the land use planning and development or environmental assessment approval process, an archaeological assessment must be approved by the Ministry of Culture. The assessment follows a four stage process:

Stage 1: Background study and property inspection

The consultant archaeologist reviews the geographic, land use, and historical information for the project (all lands that are part of the development proposal) and the relevant surrounding area through a background study. Where necessary, this may be supplemented by a property inspection.

Stage 2: Property assessment

The consultant archaeologist conducts a general survey of the whole property to identify all archaeological resources that may be present. The survey consists of walking a ploughed field looking for artifacts lying on the surface of the ground or test pitting unploughable areas (e.g., forested areas, woodlots, old pasture) at regular intervals and screening the soil for artifacts. Special conditions such as brownfield

properties or deeply buried archaeological resources may require alternative strategies. If archaeological sites are identified, Stage 3 assessment is required.

Stage 3: Site-specific assessment

This stage focuses on the archaeological sites recommended for further assessment after Stage 2. Stage 3 includes mapping the surface extent of each archaeological site and excavating a number of test units and/or test trenches. The goal of this stage is to accurately determine the spatial extent of the archaeological sites, to more completely evaluate their cultural heritage value or interest and, where necessary, to make recommendations for conducting Stage 4 strategies to mitigate development impacts. For some archaeological sites, no further work may be recommended at the end of Stage 3. For those archaeological sites where it is recommended that Stage 4 is necessary, the process of formulating the appropriate mitigation strategy will require reviewing potential strategies with the client and may also require engaging Indigenous and local communities.

Stage 4: Mitigation of development impacts

Stage 4 includes implementing long-term protection strategies for archaeological sites to be impacted by the project. If protection of the site is not a viable option, the consultant archaeologist conducts an archaeological excavation to document the site and remove the artifacts before construction begins.

Based on this framework, **prior to any land disturbance**, archaeological assessments are required for the following:

- Development, site alteration and all new/improved infrastructure and public service facilities, as defined in the Plan, if located on lands with “Extremely High Archaeological Potential” in Zone A or on a property with significant Municipal, Provincial or Federal historic landmarks, monuments, a site or property designated under the *Ontario Heritage Act* or a burial ground.
- Development requiring an Official Plan and/or Zoning By-law Amendment, Subdivision/Condominium approval or Site Plan Approval, and new/improved infrastructure on lands with “Extremely High Archaeological Potential” in Zone A or lands with high archaeological potential in Zone B.
- An archaeological assessment may not be required for land with low archaeological potential in Zones A and B, as shown on **Schedule D**.
- Development requiring an Official Plan and/or Zoning By-law Amendment, Subdivision/Condominium approval or Site Plan approval and new/improved

infrastructure potentially affecting the Euro-Canadian features shown on **Schedule D**, including an Historic Village Area, Non-extant Historic Village, 19th century building or structure or an Historic Roadway or Railway.

- New/improved infrastructure subject to the requirements of the *Environmental Assessment Act*, located anywhere in the Municipality, may require an archaeological assessment, as determined by the Ministry of Culture during the environmental assessment.
- All Lambton Shores Departments are required to ensure that an archaeological assessment is prepared prior to any land disturbing activities for all new/improved infrastructure and public service facilities on public lands that may negatively impact archaeological resources.

Notwithstanding Schedule “D”, archaeological resource potential and the need for archaeological assessments should, where possible, consider the historic location of watercourses, recognizing that many watercourses have been relocated as municipal drains.

Other policies pertaining to the management of archaeological resources in Lambton Shores include the following:

- A Holding “H” symbol may be used in the Zoning By-law to ensure that an archaeological assessment is completed prior to any land disturbing activities.
- An archaeological assessment, if required, may be part of a Planning Application, as outlined in Section 19.4. Applicants are encouraged to prepare archaeological assessments early in the planning stages of the development, when plans are most flexible, particularly as such studies may deem it appropriate to conserve through avoidance and protection measures.
- It is a contravention of the *Ontario Heritage Act* for unlicensed individuals to collect archaeological material.
- The Municipality may develop a Contingency Plan for the Protection of Archaeological Resources in Urgent Situations, in consultation with the Ministry of Culture, MNRF, Kettle and Stony Point First Nation, landowners and the public. The Contingency Plan will include:
 - a notification process whereby Lambton Shores, the Ministry of Culture and the First Nation are informed of any unexpected discoveries;

- an investigation and report be prepared by a licensed archaeologist following the Ministry's current standards; and
- a financial arrangement for the affected landowner based on his/her ability to pay, with the possible inclusion of a contingency fund to aid the landowner.

The Municipality may reach a data sharing agreement with the Ministry of Culture, including a GIS component to track lands that have been surveyed by licensed archaeologists (since 1993 when the Ministry's Technical Guidelines were first introduced). This system will eliminate unnecessary re-assessments and expedite the planning process.

As mentioned, the dunes along the lakeshore have extremely high potential for the discovery of unmarked Aboriginal burials. The Ontario *Cemeteries Act* applies to the discovery of human remains. "Guidelines for the Recovery of Human Remains", based on "Best Practices" are available from the Office of the Chief Coroner of Ontario.

Lake Huron waters in the Municipality, including includes waters off Port Franks, Grand Bend and Stoney Point, also have archaeological potential. Stoney Point was a major source of chert (a type of stone used to make tools) that Aboriginal peoples through the millennia used for stone tool making, and low water levels during various times could have allowed people to camp in areas which today are under water. Aboriginal habitation sites, shipwrecks and temporary sites such as battle sites, emergency dry docks and grounding sites may occur anywhere in Lambton Shores' waters. Port Franks and Grand Bend were both fishing and port villages, with two shipwrecks registered offshore. Work requiring a marine archaeological assessment in these areas includes pipelines, dredging, dock rehabilitation and demolition and off-shore wind farms.

Municipal Drainage works, completed under the *Drainage Act* and the maintenance of existing infrastructure and public service facilities are exempt from the Official Plan's archaeological resources policies.

14.2 Built Heritage Resources and Cultural Landscapes

14.2.1 Resources

Heritage Conservation involves four key steps: identification, protection, preservation (possibly adaptive re-use) and promotion. Built heritage resource means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Cultural heritage landscape means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Significant cultural heritage resources are those that have been determined to have cultural heritage value or interest, through any of the following means:

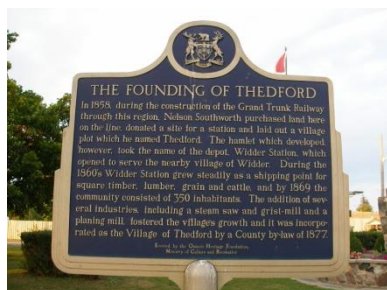


- Designation under Parts IV or V of the *Ontario Heritage Act*, or
- Protected through official plan, zoning by-law, or other land use planning mechanisms.

While some significant resources may already be identified and inventoried by official sources the significance of others can only be determined after evaluation.

Lambton Shores includes a variety of significant built heritage resources and cultural landscapes dating back to the earliest Euro-Canadian settlements. **Appendix A** includes a preliminary list of early hotels and resorts, such as the Colonial Hotel in Grand Bend (1858), Gustin's Lake Valley Grove Resort, Waverly Hotel in Port Franks and the Bossenberry Hotel Imperial (1906). Early cottages include Oak Lodge in Grand Bend (1897), log cottages in Beach O'Pines built from 1910 to 1930 and the Mary Baker Cottage in Ipperwash. The 1906 Grand Bend pier, the Brewster Mill site and dam in Grand Bend (dating back to 1832) and a Grand Trunk storage shed in Thedford are examples of early industrial and transportation related buildings and structures.

As shown in **Appendix A**, the Municipality includes several bridges and structures that are more than 40 years old and potential candidates for heritage bridge designation. Examples include a 1910 iron bridge on River Road spanning the Canada Company Cut and the Ontario Street/Highway 21 Bridge over Parkhill Creek. A structure near the “Brenner Embankment” on the north side of the creek houses the remains of a 1915 explosive acetylene apparatus used to light the main intersection.



A comprehensive inventory of built heritage resources in Lambton Shores has never been prepared. Lambton County Museums has recently initiated the “Cultural Mapping” of Lambton County. This project is supported by Lambton Shores. **Appendix “A”** to this document is the most current an inventory of cultural resources in Lambton Shores.

14.2.2 Policies – Municipal Register

- The Clerk of the Municipality will keep a register of property situated in the municipality that is or believed to be of cultural heritage value or interest (Municipal Register). The Municipal Register kept by the Clerk shall list all property situated in the municipality that has been designated by the municipality or by the Minister under Parts IV or V of the *Ontario Heritage Act*. In addition to designated property, the Municipal Register may include property that has not been designated but that the council of the municipality believes to be of cultural heritage value or interest and where criteria for determining whether property is of cultural heritage value or interest have been prescribed for the purposes of this subsection, the property meets the prescribed criteria. Non-designated properties listed on the Municipal Register shall contain, with respect to such property, a description of the property that is sufficient to readily ascertain the property.
- Council shall approve the inclusion of properties to the Municipal Register in accordance with requirements under the *Ontario Heritage Act*.
- Within 30 days after including a property on the Municipal Register, but not designating such property, the Council of Lambton Shores shall provide the owner of the property with notice that the property has been included on the Municipal Register in accordance with requirements established under the *Ontario Heritage Act*.

- Lambton Shores may prepare a comprehensive study of the Municipality's Built Heritage and Cultural Landscapes. The study will be prepared by a properly qualified heritage consultant, in partnership with the Lambton County Museums and other organizations interested in cultural heritage preservation. The comprehensive study may recommend the inclusion of the properties in the Municipal Register. Such properties will be included on the Municipal Register in accordance with processes established under the *Ontario Heritage Act*.
- If a property has not been designated under the *Ontario Heritage Act* but has been included in the Municipal Register, the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives Council at least 60 days' notice in writing of the Owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure. Notice to demolish a building or structure on the Municipal Register shall be accompanied by such plans and information that the Council may require to make a decision on the matter, and may include but not be limited to:
 - primary and secondary research, visual inspection, and evaluation against prescribed criteria for determining Cultural Heritage Value or Interest prepared by a qualified heritage consultant (Ontario Regulation 9/06), and architectural plans pertaining to the replacement building or structure.
 - If following a request for demolition, a property has been found to meet prescribed criteria for determining Cultural Heritage Value or Interest (Ontario Regulation 9/06), the Council of Lambton Shores may issue notice of intention to designate the property, thereby, causing the request for demolition to be void.
- An evaluation against prescribed criteria for determining Cultural Heritage Value or Interest prepared by a qualified heritage consultant (Ontario Regulation 9/06), shall accompany a Planning Application that pertains to a property listed on the Municipal Register. If the property has been found to meet prescribed criteria, the proponent shall provide a Heritage Impact Assessment, prepared by a qualified heritage professional, in support of the Planning Application in accordance with technical guidance included in the Ontario Heritage Toolkit.

14.2.3 Significant Built Heritage Resources

- Lambton Shores will designate properties that meet criteria for determining Cultural Heritage Value or Interest (O. Reg 9/06) under the *Ontario Heritage Act*. While it is the intent of the municipality to work collaboratively with landowners in conserving properties of Cultural Heritage Value or Interest, there may be instances in which landowners may not consent to the designation of their respective property. Council will act in the public interest to conserve and designate properties of Cultural Heritage Value or Interest despite objections by their owners.
- If Lambton Shores intends to designate a property to be of cultural heritage value or interest, the Clerk shall issue notice of intention to designate in accordance with requirements and limitations established under the *Ontario Heritage Act*.
- Any Planning Application related to lands designated or within 50 metres of lands designated under the *Ontario Heritage Act* shall be accompanied by a Heritage Impact Assessment. The Heritage Impact Assessment shall be prepared by a qualified heritage professional in accordance with technical guidance included in the Ontario Heritage Toolkit.
- A Conservation Plan may be required in accordance with recommendations contained within a Heritage Impact Assessment, to be provided as a condition of approval of a Planning Application detailing how cultural heritage resources can be conserved. The Conservation Plan shall be prepared by a qualified heritage professional in accordance with technical guidance included in the Ontario Heritage Toolkit. The recommendations of the Conservation Plan should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures. Lambton Shores may enter into a development agreement to ensure the implementation of recommendations included in a Conservation Plan.

14.2.4 Historic Village Areas

- An evaluation against prescribed criteria for determining Cultural Heritage Value or Interest prepared by a qualified heritage consultant (Ontario Regulation 9/06) may be required with any Planning Application in the Historic Village Areas shown on **Schedule D** of this Plan. These areas are located in Forest, Grand Bend, Port Franks, Arkona and Thedford.
- If a property proposed for development within a Historic Village Area has been found to meet prescribed criteria for determining Cultural Heritage Value or Interest, the proponent shall be required to provide a Heritage Impact Assessment and may be

required to provide a Conservation Plan, prepared by a qualified heritage professional, in support of the Planning Application in accordance with criteria established under the Ontario Heritage Toolkit.

14.2.5 Additional Measures for Heritage Conservation:

- Lambton Shores may designate significant built heritage resources, groups of buildings, cemeteries, natural features, landscape features, ruins, archaeological and marine archaeological sites, and cultural landscapes (as Heritage Conservation Districts) under Parts IV or V of the *Ontario Heritage Act*.
- Lambton Shores may identify Cultural Heritage Landscapes as Special Policy Areas within the Official Plan.
- Lambton Shores will promote the value of heritage conservation through the employment of incentive programs under the *Ontario Heritage Act*, the Planning Act, and the *Municipal Act*.
- Lambton Shores may by by-law establish a Municipal Heritage Committee to advise and assist the Council on matters relating to heritage matters. Should a Municipal Heritage Committee be established, Lambton Shores will establish processes to ensure consultation with the Municipal Heritage Committee in accordance with requirements under the *Ontario Heritage Act*.



COMMUNITY DESIGN AND IMPROVEMENT

15. COMMUNITY DESIGN AND IMPROVEMENT

This section of the Official Plan includes policies for:

- sustainable community form, land use and infrastructure planning, site, building and design elements;
- urban design principles and guidelines for various land uses and areas throughout Lambton Shores;
- the preparation of Community Improvement Plans; and
- a barrier free municipality.

15.1 Sustainable Design Principles and Elements

15.1.1 Introduction

Sustainable development forms the underlying philosophy of the Official Plan. Sustainable development “meets the needs of the present without compromising the ability of future generations to meet their own needs⁵” or, more simply put, it is development that “stands the test of time”.

As a municipal responsibility, the Official Plan focuses on the physical dimension of sustainable urban/rural places and development, including development patterns, the form and design of buildings, supporting streets and infrastructure and the protection and enhancement of supporting natural systems. The Plan also considers the social and economic dimensions of sustainability.

The **physical dimension of sustainability** comprises three major building blocks:

- Sustainable Community Form
- Sustainable Land Use and Infrastructure Planning
- Sustainable Site, Building and Design Elements

⁵ Bruntland Commission, *Our Common Future*, 1987

Also important, is a land use planning process that contributes to sustainability. Land use planning in Lambton Shores will involve engineers, biologists, archaeologists, urban designers, etc. in order to encourage pro-active, big picture thinking.

15.1.2 Sustainable Community Form

The Official Plan's community form and growth management planning principles are all based on sustainable planning and development principles. These principles include focusing growth in settlement areas, liveable and healthy communities, efficient development patterns and the wise use and management of resources.

15.1.3 Sustainable Land Use and Infrastructure Planning

The Official Plan's policies for sustainable land use and infrastructure planning are summarized by the following table:

TABLE 4
Summary of Policies for Sustainable Land Use and Infrastructure Planning

Component	Policies
Agriculture	Section 4 includes policies for: <ul style="list-style-type: none"> - long-term preservation of "prime agricultural lands" and Thedford Bog; and - Nutrient and Environmental Farm Management Plans.
Development	Sustainability Plans may be required for development subject to Subdivision and Site Plan approval, as outlined in Section 15.
Infrastructure and Public Service Facilities	Sections 8 and 13 includes policies for: <ul style="list-style-type: none"> - the development of multi-use trails as an alternative mode of transportation in Forest, Grand Bend, Port Franks, Arkona, Thedford; - sustainable transportation planning principles; - water and sanitary sewage servicing policies that sustain water resources and protect human health and the natural environment; and - SWM fitting into the larger concept of watershed planning.

Component	Policies
Natural Resource Management	Section 17 includes policies for: <ul style="list-style-type: none"> - water conservation, energy conservation, air quality, climate change, alternative and renewable energy generation; and - sustainable use of woodlots, aggregates, petroleum
Natural Heritage System Preservation	Section 3 includes policies for: <ul style="list-style-type: none"> - protecting significant natural heritage features; and - implementation tools, including stewardship, compensation and partnering with environmental advocacy groups and corporations.
Archaeological and Built Heritage Resources Management	Section 14 includes policies for identifying and managing archaeological and built heritage resources and cultural landscapes.
Parks and Open Space Management	Parks and Open Space policies based on sustainable community design principles, as outlined in Section 8. The Open Space system will also be used as corridors for the natural environment and alternative modes of transportation.
Housing and Residential Development	Special designation and policies for residential development in oak savannah ecosystem in Grand Bend, Port Franks and Ipperwash.
Economic Development	Objectives for long-term prosperity based on practices for sustainable communities, as outlined in Section 18.

15.1.4 Sustainable Site, Building and Design Elements

Site, Building and Design Elements is the third major building block for sustainability. Currently, there is an almost endless list of sustainable design elements (See TABLE 5) that can potentially be incorporated into infrastructure, public service facilities and all types of development.

Although Lambton Shores is responsible for ensuring that sustainable site, building and design elements are implemented as part of the development approvals process, Council expects the land development community and private landowners to take the lead in developing and incorporating these elements into development and redevelopment projects. Lambton Shores will also incorporate these elements into public infrastructure and facilities projects.

Lambton Shores encourages development and redevelopment projects designed to meet or exceed the highest recognized environmental standards and/or are LEED™ certified. LEED™ is a market-based system that facilitates and certifies higher energy and environmental performance of buildings and communities. The Canadian Green Building Council administers the LEED rating system and provides a suite of standards for environmentally sustainable construction.

15.1.5 Sustainability Plan

Council may require that applications for Plans of Subdivision/Condominium and Site Plan approval for residential, commercial and industrial development include a Sustainability Plan, preferably prepared by a LEED™ certified individual. Prior to a development application being considered complete Council will consider each development proposal on its merits and decide whether a particular development is required to prepare a Sustainability Plan. Using TABLE 5 as a framework, the plan will:

- address all of the components shown in the TABLE 5;
- evaluate the feasibility of incorporating environmentally sustainable measures into the development for each component;
- describe and show (on the Subdivision or Site Plan) all of the measures to be incorporated into the development.

Table 5 includes examples of measures that can be implemented to increase sustainability. The examples are not intended to be a complete or exhaustive list. Specific measures, using the TABLE 5 as a framework, can be developed by the applicant to satisfy the development approvals process. Applicants are encouraged to use the LEED certified rating system to develop specific measures.

TABLE 5
Sustainability Plan
Components and Examples of Measures

Components	Examples of Measures
Energy Supply and Use	- Streets, site, subdivision/lot layout design, building orientation, landscape design and exterior/interior building design to optimize energy efficiency and conservation. Relies on basics such as latitude, slopes, sun and wind.

Components	Examples of Measures
	<ul style="list-style-type: none"> - Energy substitution measures, including renewable energy sources, such as solar, wind and geothermal, for building systems and exterior lighting. - “Green” buildings with certified energy saving and environmentally friendly techniques. - Full cut-off lighting to conserve energy.
Water Conservation, Efficiency	<ul style="list-style-type: none"> - Xeriscape or low water use landscaping to minimize water use and slow down run-off. - Alternative ground covers (instead of grass) to minimize mowing. - Rain barrels or cisterns to capture rainwater for landscape irrigation and other non-potable water uses. - Water saving fixtures, grey water re-use, energy and water saving appliances.
Natural Heritage Systems Protection	<ul style="list-style-type: none"> - Protection strategies for air quality, greenhouse gas reduction, environmental and energy saving benefits including: <ul style="list-style-type: none"> - Environmental protection buffers; - Erosion and sedimentation control; - Emission reduction strategies; and - Tree planting/preservation, natural fencing, natural ground cover (with appropriate maintenance and landscaping). - Enhancement strategies, such as: <ul style="list-style-type: none"> - Stream and valley enhancement; - Fish habitat improvements, compensation; - Natural channel design; and - Open space naturalization.
	<ul style="list-style-type: none"> - Open space, natural features restoration. - Full cut-off lighting to reduce light pollution of the night-time sky.
Sustainable Infrastructure: <ul style="list-style-type: none"> - Transportation - Water and Wastewater - Stormwater Management 	<ul style="list-style-type: none"> - Transportation Demand Management measures promoting alternatives to cars to reduce demands, thereby reducing energy consumption and green house gas emissions. - Transportation System Management measures to increase mobility and capacity (also to reduce energy consumption, green house gas). - Land dedication for pedestrian and bicycle pathways. - Re-use of water using grey-water systems. - Alternative methods for treating industrial wastewater, such as Living Machines.

Components	Examples of Measures
	- Source controls for stormwater management to handle environmental problems at the source (disconnection of roof leaders, foundation drains, reduced lot grading, parking lot storage, porous surfaces, etc.).
Efficient Sites and Buildings	- Site landscaping to conserve energy and water consumption. - Alternative ground covers. - “Green” buildings with certified energy savings and environmentally friendly techniques. - Building design: room layout, dwelling shape, accessory buildings, construction details, window treatments and colours, insulation, landscaping.
Materials and Waste Management	- “Re-thinking” and reduction, re-use and recycling measures to conserve building materials and reduce waste. - Renovation instead of new building.
Other LEED™ certified Measures	As relevant to the particular development

15.2 Urban Design Principles and Guidelines

Urban design principles address the more qualitative aspects of development, including visual character, aesthetics and compatibility of land use. The following policies shall apply, as appropriate, to all development requiring a *Planning Act* approval within the Settlement Areas. Additional policies for certain areas of Lambton Shores are contained within the appropriate sections of this Plan containing the land use designations.

15.2.1 Building Design

- The design of new buildings should achieve a complementary design relationship to existing buildings, while accommodating a diversity of architectural styles, building materials and colours, energy conservation techniques and innovative built forms.
- The design of all buildings shall implement pedestrian safety and should provide direct street access.
- New development in Grand Bend and downtowns across Lambton Shores should generally be a maximum of three storeys.

- The Municipality does not support the protrusion of garages on residential buildings into the front yard, beyond the main front building wall. Other options for garage placement which deemphasize their appearance on the street may be supported. In addition, the width of private driveways accessing private garages shall be controlled to ensure that there is an appropriate relationship between pavement and landscaping in the yards where the driveway is located. Such a relationship shall also take into account the desire to maximize the infiltration of rainwater. These policies shall be implemented through the Zoning By-law.
- Building entrances shall be located to be visible from the adjoining street(s) and, where possible, directly linked to the sidewalks through appropriately articulated walkways.
- Building functions that do not directly serve the public, such as loading areas, shall not face a public street and should be located away from noise sensitive land uses, such as residential areas, and buffered, as necessary.
- Buildings should employ devices such as awnings, canopies, building cantilevers/overhangs to generally improve the level of pedestrian comfort. Sheltered building entrances should be provided at primary building entrances to multi-storey residential, public, recreational, industrial, office and commercial buildings, where necessary.
- When a development is located adjacent to existing, or planned residential areas, sufficient building setbacks should be provided to minimize potential height and massing impacts such as overlook and shadowing.
- The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses, especially those with cultural or natural heritage value.
- Buildings should be massed to be architecturally articulated to provide visual variety and interest. Generally, building articulation features such as canopies, cornice lines and varying façade materials should be used to reinforce a pedestrian scale, and generous front porches are encouraged for residential built forms.
- Building massing should reinforce a continuous street wall frontage located close to the front property line to recognize pedestrian scale and provide an appropriate street wall height at the street line.
- Buildings on corner lots shall be located in close proximity to the street rights of way. Corner lots should emphasize their important community presence by employing appropriate strategies for major landscape treatments as well as building massing and articulation that emphasize the corner condition.

- The Municipality will promote a high standard of design for buildings constructed in strategic or prominent locations, such as (but not limited to) the downtowns or gateway areas to Forest and Grand Bend.
- Development clustered around public open space and recreational uses centred on existing treed areas or the waterfront is a design objective in Lambton Shores.
- Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained, repaired, or restored rather than replaced. New construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation as adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape; and,
- Exterior signs should be uniform in appearance, in terms of location, size, shape, materials and colours to encourage design quality.

15.2.2

Streetscapes

- An integrated design and treatment of streetscape features shall be promoted throughout the settlement areas in the Municipality. Specialized streetscape designs and treatments may be adopted for particular areas of the Municipality.
- Streetscape features and sustainable design elements located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters, above ground infrastructure, signage and street furniture shall be complementary in their design and located in an integrated manner, so as to avoid visual clutter.
- Planned road reconstruction shall include improvements to the existing streetscape consistent with the policies of this Plan, Community Design Plan (for Forest, Grand Bend, Port Franks, Arkona and Thedford), any Council-adopted urban design guidelines, downtown revitalization plans, and other similarly adopted Council guidelines.

Landscaping

- Landscaping is a major contributor to a vibrant streetscape. A high quality of landscape design shall be required to enhance the visual aesthetics of development and to enhance the site and land use compatibility.

- Landscaping within private lands shall be complementary to streetscape design and materials within the public realm.
- Where appropriate, planted landscaping strips and fencing shall be used to buffer development from adjacent uses and mitigate on-site operational activities such as loading and waste storage facilities.
- Landscape materials shall be selected for their aesthetic, ecological, disease-tolerance and maintenance characteristics.
- Hard and soft landscaping shall be used for the spaces between the street line and buildings to enhance the streetscape, as well as provide a buffering function when on-site parking is placed close to the street or close to adjacent land uses and properties.
- Vehicular entrances often present opportunities for landscaping that highlight entry points into the site. Therefore, appropriate landscaping shall be provided on either side of driveway entrances, particularly at the main entrances. The use of berms along public street frontages shall be avoided due to their tendency to isolate buildings from the street.
- The presence of significant trees on a development site shall be determined through a tree survey and, where appropriate, preserved, maintained and integrated into the new landscape design of the site.

15.2.3 Safety

Personal safety for individuals shall be provided in new development through the provision of:

- Appropriate lighting, visibility and opportunities for public surveillance for parking lots, walkways, parking garages and open space area;
- Unobstructed views into parks and open spaces from adjoining streets;
- Design and siting of new buildings shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open space;
- Views into and out of publicly accessible buildings shall be encouraged; and,
- Landscaping that maintains views for safety and surveillance.

15.2.4 Commercial and Industrial Areas

- It is the intent of this Plan to improve the vibrancy, aesthetics and connectivity of all commercial and employment areas in the Municipality. The approval of any development pursuant to the *Planning Act* shall address the following:

- Improvements to the aesthetics and function of the public realm (roads, parks, and sidewalks) will occur as a condition of development, or will be made possible as a result of the development, as appropriate;
 - The siting, scale and massing of buildings contributes to a safe and attractive pedestrian environment and streetscape;
 - Parking facilities are designed to not dominate the streetscape; and,
 - Landscaping is used to buffer adjacent uses and improve the overall aesthetics of the development.
- Section 6 of the Official Plan includes urban design guidelines for downtowns and highway commercial areas, respectively.
- Policies for site design in industrial areas are included in Section 7 of the Official Plan.
- All new development requiring approval under the *Planning Act* shall conform to the urban design policies of this Official Plan as appropriate.

15.2.5 Site Design

- Site design incorporates the built form of structures, landscaping, services and the layout of all amenities. Site design shall consider the relationships between the public realm, adjacent land uses, on-site operations and visual aesthetics, in order to promote an environment that is pleasant and attractive to the community.
- Site design shall consider how to maximize the compatibility between adjacent land uses through appropriate site layout, building locations and landscape treatments.
- The design of sites adjacent to parks, woodlots and watercourses shall be sensitive to these features. In these instances, the form and design of new development should complement the natural heritage features and appropriate setbacks shall be maintained between buildings and sensitive natural areas, while on-site landscaping shall be well integrated with natural areas.
- Continuous, highly visible, well articulated and landscaped connections between building(s) and the street should be provided to establish appropriate pedestrian linkages between the sidewalk and building entrances.
- Along collector and arterial roads within the Settlement Areas, reverse frontage residential lots shall be minimized through techniques such as window streets and where reverse frontage lots are provided, shall incorporate a substantial landscape buffer to improve the visual amenity of such areas.

- On large sites, pedestrian linkages between uses and adjacent sites should be provided.

15.2.6 Parking

- The location of parking is a major determinant for the layout of a development that is pedestrian friendly and accessible. Where appropriate, the Municipality should require the provision of surface parking areas in locations not visible from the public street, such as in rear yards and/or well-landscaped side yards.
- Where surface parking areas are situated adjacent to a public street in the front yard, their layout should be subdivided into smaller areas to avoid large monotonous asphalt surfaces. In these cases, a certain percentage of the frontage should be reserved for landscaping between the buildings and the street line. The parking areas may be partially buffered and/or screened from the street using landscaping, tree planting, pedestrian facilities, lighting, fencing and/or other landscape elements in order to enhance the visual aesthetics of, and pedestrian activity within, such parking areas.
- Clearly defined pedestrian accesses between parking and adjacent buildings and entrances should be provided with well-delineated walkways.
- Surface parking lots shall be linked to the streets and other public areas with well-delineated walkways.

15.2.7 Access and Circulation

- To enhance the vibrancy of the streets, joint vehicular access points into sites shall be considered on adjacent sites.
- To ensure pedestrian safety and promote their priority over vehicular traffic, major pedestrian routes on the site should be identified and delineated from the driving surfaces. Pedestrian walkways should be made continuous across driving aisles as well as across driveway entrances at the street. The use of soft landscaping is also encouraged along major pedestrian routes.

15.2.8 Design for New Neighbourhoods

The following design principles apply to the development of new neighbourhoods through Plans of Subdivision or Condominium within the Municipality's Settlement Areas, in accordance with the policies of this Official Plan:

- Residential development should include a combination of housing types, with a range of densities that implement the housing objectives and policies of this Plan;
- High-density housing shall be located on Arterial and Collector Roads to facilitate the establishment of multi-modal facilities and a pedestrian-oriented environment;
- New development areas shall be integrated with existing neighbourhoods;
- New subdivision streets should generally align in a loose grid pattern to create appropriately sized development blocks and to promote active transportation permeability and connectivity;
- New blocks shall be designed with lengths that are generally less than 250 metres to support active transportation;
- The development of reverse frontage residential lots shall be minimized and where reverse frontage lots are provided, shall incorporate a substantial landscape buffer to improve the visual amenity of such areas;
- Open space and parks shall integrate with adjacent development areas and provide a range of active and passive recreational opportunities;
- New buildings shall be designed and oriented to the street and to street corners to encourage a pedestrian-oriented streetscape; and,
- Where appropriate, industrial/employment lands shall be buffered from residential development by a variety of measures such as roads, landscaping, natural heritage areas, and parkland and community facilities.

15.3 Community Improvement

15.3.1 Community Improvement Project Areas and Plans

Aimed at older parts of the Municipality, the Official Plan's community improvement policies focus on the maintenance, rehabilitation and redevelopment of the existing physical environment in designated areas. Community improvements, as defined in the *Planning Act*, are intended to:

- contribute to a sense of community;
- upgrade and improve municipal infrastructure, public service facilities and privately owned property;
- enhance the economic potential of Lambton Shores, as a whole and its communities;
- Provide affordable and attainable housing; and,

- Establish programs to encourage private sector redevelopment and rehabilitation to address matters related to land development, economic development, environment, housing, and/or social development issues/needs.

Under the *Planning Act*, Lambton Shores may designate “Community Improvement Project Areas” (CIA’s). In these areas, the Municipality may acquire lands, prepare improvement plans and undertake various community improvement projects. This section of the Official Plan provides a framework for the selection and designation of project areas and the preparation and implementation of Community Improvement Plans (CIP’s).

In general, candidate Community Improvement Areas are areas with aging or deteriorating buildings and properties, infrastructure and public service facilities that could potentially benefit from a coordinated, comprehensive approach to physical improvements. In commercial areas, other problems may include underutilized buildings, high vacancy rates and instability. To be eligible for designation as a “Community Improvement Area”:

- Residential areas must be stable and not “in transition” to other non-residential uses.
- Commercial areas must have underutilized commercial buildings.

Community Improvement Plans will:

All Areas

- recognize and protect heritage buildings and areas;
- provide for building rehabilitation and improvements;
- upgrade infrastructure and public service facilities;
- provide for links and connections to other destinations and areas;
- encourage all construction and improvements to be energy efficient and aspire to meet LEED standards;
- enhance economic potential of the Municipality in order to foster employment generating activity;
- designate sufficient lands for employment uses to provide opportunities and options for a variety of employment uses;
- identify and promote opportunities for intensification and redevelopment within Brownfield sites;
- encourage infilling on vacant lots, on Brownfields, or on other underutilized land; and,
- improve the visual quality of the streetscape.

Residential Areas

- provide for the special housing needs of seniors, low income families and persons with disabilities;
- provide improved and accessible neighbourhood oriented open space and recreational facilities;
- maintain and rehabilitate older neighborhoods;
- upgrade and enhance hard municipal services in older neighborhoods; and,
- increase the supply of housing, particularly affordable and attainable housing.

Downtown Commercial Areas

- enhance their role as the centre of the community;
- encourage redevelopment, intensification and revitalization;
- enhance the commercial streetscape for improved aesthetics, commercial attractiveness, and to foster and improve pedestrian circulation systems;
- eliminate land use conflicts;
- upgrade and improve municipal infrastructure where deficient;
- foster links to areas of recreational and community activities;
- foster better organization and availability of municipal or shared parking areas; and,
- encourage appropriate forms of residential development.

Mixed Commercial/Industrial Areas

- Encourage appropriate development and redevelopment to facilitate economic activity;
- Eliminate land use conflicts; and,
- Upgrade access and servicing to industrial lands where deficient.

Brownfield Areas

- Promote the rehabilitation, revitalization and reuse of Brownfields through the promotion of grants or loans to owners of Brownfields in order to assist in the cost of clean up and redevelopment; and,
- Participate in partnerships with Business Improvement Areas, Community Development Corporations, Economic Development agencies, or other community groups to support the revitalization or redevelopment of Brownfield's.

Community Improvement Plans may also provide for environmental site assessment and remediation of contaminated lands where they are found to exist.

Community Improvement Criteria

In order to achieve the objectives previously listed, a set of criteria for choosing community improvement projects and delineating potential community improvement project areas follow.

General Criteria

The following are considered to be candidates for community improvement projects:

- areas where land use conflicts exist;
- areas which require upgrading or replacement of road surfaces, sewer or water systems, stormwater management systems, streetlighting or sidewalks;
- areas where social or recreational facilities are deficient; and,
- areas where environmental or natural heritage preservation and conservation are deficient.

Criteria for Residential Project Areas

In addition to the General Criteria the following criteria should be utilized to define a Residential Project Area:

- areas of older housing stock in need of renovation or redevelopment;
- areas where special housing needs can be provided or accommodated; and,
- areas where neighbourhood and other residentially oriented social and recreational facilities are deficient.

Criteria for Commercial Districts

In addition to the General Criteria the following criteria should be utilized to define a Commercial Project Area:

- areas where an active Business Improvement Association is operating;
- areas where streetscape improvements are needed;

- areas where the provision or improvement of links, particularly pedestrian linkages, to areas of recreational and community activities is feasible;
- areas of under-utilized commercial buildings;
- areas where specific works are required to facilitate desired redevelopment; and,
- areas where land use conflict exist.

Criteria for Industrial Areas

In addition to the General Criteria the following criteria should be utilized to define an Industrial Project Area:

- areas where land use conflicts exist;
- areas where property access is poor;
- areas where stormwater management system is deficient; and,
- areas where access, or sewer and/or water system improvements are needed.

Potential Public Land Acquisition

In Community Improvement Areas, Lambton Shores may acquire land for the following community improvement purposes:

- lands with significant natural heritage or cultural resource features, for neighbourhood, community parks, or environmental protection areas;
- lands needed for purposes of facilitating commercial land assembly, or to provide links and connections to public open space; and,
- residential lots in an industrial designation to facilitate industrial land assembly.

Actual acquisition will depend on financial resources, and whether circumstances warrant acquisition when it is specifically considered. This policy does not represent a commitment to acquire the lands so mentioned, nor does it limit the ability of the Municipality to acquire lands in other locations for community improvement or other purposes.

Designation of Community Improvement Project Area

Priority areas include downtown Forest, followed by downtown Arkona and Thedford. Other areas may be designated provided they meet the criteria included in this section of

the Official Plan. The Municipality may designate, by By-law, the whole or any part of an area as a Community Improvement Project Area for the purposes of preparing a Community Improvement Plan. Following the preparation of the plan, the Municipality may construct, repair, rehabilitate or improve buildings on land acquired or held by it in the project area or clear, grade and level lands, as required. The Municipality may then sell, lease or otherwise dispose of land acquired or held by it to any persons or government agency for use in conformity with the Community Improvement Plan. Lambton Shores may make grants or loans to property owners to pay for all or part of the cost of the works included in the Community Improvement Plan. Grants and loans will be registered on the title.

The adoption of a Community Improvement Plan requires public notice under the *Planning Act*.

Implementation Policies

To implement Community Improvement Plans or community improvement in general, Lambton Shores may also:

- obtain funding from senior levels of government;
- enter into agreements with any government body or one or more municipalities;
- consider community improvement needs during the preparation of annual capital and operating budgets;
- in older areas with heritage value threatened by demolition, designate a Demolition Control Area where no person may demolish the whole or any part of a property unless a demolition permit is issued by Council;
- Pass a Community Benefits Charge By-law to address Community Benefits requirements for new development;
- co-operate with and empower local service clubs, such as Chambers of Commerce and Business Improvement Areas, who have in the past, provided for neighbourhood and community parks, street furniture, library quarters, monuments and trails and play a key role in the organization of special events, fall fairs, festivals, etc., to assist in community improvement programs;
- maintain a property standards by-law to prescribe standards for maintenance and occupancy or use of such property with standards prescribed;

- make use of programs under the *Ontario Heritage Act* and work with various programs from provincial and federal governments to support the preservation and conservation of natural heritage; and,
- make use of public funding programmes such as federal and provincial cost-sharing, funding, or incentive programmes to achieve desired community improvements.

CIP Structure and Process

The CIP process shall conduct an initial community assessment of strengths, weaknesses, opportunities, and threats and continually reassess by survey. The CIP must develop a brand by identifying what makes the CIA or broader community unique or how it can differentiate itself from other communities or regions. The brand must work with the regional identity.

The CIP must define its end goal. To be a destination community, the CIP must have capacity to provide primary activities in the CIA or broader community in proportion to how far visitors are expected to travel. Primary activities must be things visitors cannot get closer to home. Alternatively, a community may plan to be a support community, capturing traffic en route to another destination.

The CIP must develop one- and five-year action plans towards its goal, identifying problems and opportunities to be tackled one at a time, in order. Action plans must be reviewed and updated regularly.

The CIP must develop marketing plans and/or community design standards for improvements within the CIA. These must implement the branding and action plans and support common themes, key messages, and even colour schemes. Design themes could be marketing or physical improvement oriented.

Municipal investments in the CIA must conform to the brand, action plans, and community design standards established by the CIP and may include one or more of;

- capital expenditures to core visitor attractions within the CIA and broader community;
- incentive programs/grants for storefront signage, community gateway signage, interpretive plaques, kiosks, façade improvements, awnings, street furniture, decorations, lighting, seasonal decorations, and anything else consistent with branding and action plans; and,

- advertising, promotional materials/packages, and mapping of businesses, core attractions and non-gated public attractions.

Site plan approvals shall require that new development be consistent with the CIP's branding, action plan, and community design standards.

15.4 Community Design Plans (please see Community Design Plan 2008 for more detail)

On-going community improvements initiatives will be based on the recommendations made in the comprehensive Community Design Plan prepared for Lambton Shores communities in 2008 and 2015. The plans includes Community Design Master Plans for five Lambton Shores communities, including Forest, Grand Bend, Port Franks, Arkona, Thedford, and Ipperwash. A major focus of the Community Design Plans is the identification of opportunities to enhance/create destinations and linkages among these destinations.

The Community Design Plans may be implemented by the Municipality and local partners as Community Improvement Projects. Community Design Master Plan elements may also be required as a condition to development. The following sections summarize the Community Design Master Plans prepared for the five communities:

15.4.1 Forest

The Forest Community Design Master Plan is based on five key themes: re-forest Forest; connect established areas with growth areas and connect heritage features with new features; protect and enhance heritage; define and upgrade existing attractions and green technology. The Community Design Master Plan includes the following elements:

- **Building and Landscape Design** – all new development should be compatible with “the town in a park” image of Forest.
- **Gateways and Arrivals** – at the north gateway at the Shores Recreation Complex and the south gateway near George and Main Streets. Gateway features, such as upgraded signage, seasonal planting beds, a water feature and ornamental trees will establish Forest's boundaries and provide visual queues.
- **Intersections** – the Main Street/King Street intersection should be enhanced by planters, new street plantings, seating and enriched coloured concrete paving.

“Dressing up” King Street will attract tourists and local residents and encourage travellers to turn left down King Street instead of continuing on Highway 21. Streetscape improvements at the “Highway Commercial” area, centred on Townsend Line and King Street, will help to define it as a new hub. Traffic calming measures to slow traffic down and create a safe pedestrian environment are also recommended.

- **Street trees, Furnishing and Lighting** – to re-forest Forest, conifers and shade trees will be added to parks, streetscapes and boulevards. The Municipality may consider heritage tree designation for historic old trees under the *Municipal Act* and *Ontario Heritage Act*. The Official Plan also encourages the planting of new hedgerows as a natural way to divide properties. Street trees, furnishing and lighting, using Forest’s existing custom light standards, may be added in the downtown.
- **Destinations and Linkages** – several improvements are proposed to link the downtown with the “Highway Commercial” area and Shores Recreation Centre, Including signage, planters, banners, trees, multi-use trails, and on-road cycling routes. Partially following the former CN Rail line, the trail will retain the concrete/stone markers and switch symbols as strong visual reminders of Forest’s evolution as a railway town. The trail may consist of three sections:
 - “Wilderness Zone”, west of Washington Street, intended as a multi-use trail to link downtown and Hickory Creek. Currently, Hickory Creek is accessible only where public open space abuts the creek;
 - “Downtown Zone” to accommodate pedestrian and bicycle movement through downtown; and
 - “Residential Zone” to continue the multi-use trail. Development in the downtown and residential zones must not interfere with the trail or vistas provided from the trail.
- **Pedestrian crosswalks, traffic calming measures and signage upgrades.** The Municipality may consider enacting a sign by-law to implement the Community Design Master Plan’s signage recommendations.

15.4.2 Grand Bend

The Community Design Master Plan prepared for Grand Bend is based on five key themes: the Beach; the theme of music based on the Old Dance Hall; family friendly and accessible for all people; alternative links and routes for pedestrians and a year round community. It includes the following elements:

- **Building and Landscape Design** - All development should be compatible with Grand Bend's sand, sun and fun image.
- **Gateways and Arrivals** – gateway features at the southern end of the village will create a visual threshold and provide a feeling of inclusiveness for residents.
- **Intersections** – enhanced pedestrian oriented intersections may be developed at main intersections and along Main Street and Ontario Street. These intersections will act as key nodes to link various areas of the village.
- **Street Trees, Furnishing, Lighting and Signage** – these features should reflect the theme of the beach and individual neighbourhoods to create a sense of variety. New signage will mark local attractions to help tourists easily locate the many attractions offered by Grand Bend.
- **Pedestrian Bridges** – bridges are recommended at two locations across Parkhill Creek. However, any new bridges must maintain the navigability of the creek.
- **Destinations and Linkages** – examples of new destinations and linkages include a new marina, new commercial development at the foot of Main Street, a neighbourhood parkette at Alberta Street and River Road, “reclaiming” the towpath along the Old Ausable River Channel as a multi-use trail and a village wide system of on and off-road cycling trails.



To maintain Grand Bend's seaside village resort “feel”, future development is restricted to low and medium density development in low rise buildings. Building heights are generally restricted to a maximum of three storeys, with building heights generally decreasing from Ontario Street to the lake to preserve views. In addition, new low density residential in the “Grand Bend Residential” area is restricted to 7.5 units per hectare or less to preserve the existing tree cover and natural environmental features.

15.4.3 Port Franks

The Community Design Master Plan for Port Franks is based on three key themes: lakeside residential, artists' enclave, natural neighbourhood and Ausable Amble – River Lookout. The following elements are included:

- **Building and Landscape Design** –all new development shall be compatible with “the unique natural heritage” and “quiet beauty” of Port Franks.
- **Gateways and Arrivals** – Simple gateway features, such as upgraded signage, banners and dune grasses, should be used to establish Port Franks’ boundaries and convey the residential quality of the village. New educational signage could provide residents and tourists an opportunity to learn about the dunes.
- **Intersections** – the Port Franks Road/Riverside Drive intersection should act as the village hub. Main intersections in the village should provide safe crossings and connections to sidewalks and pathways.
- **Street Trees, Furnishing and Lighting** – new street trees, plantings, furnishings and lighting, using Port Franks’ existing light standards, should be added to main intersections.
- **Destinations and Linkages** – the Community Design Master Plan identifies four key destinations, including a new waterfront walkway, new parkette at Clarke Drive/Poplar Avenue, landscape and seating enhancements at Riverside Drive/Superior Street and a lookout at the end of Nipigon Street, all linked by a core walking loop. A new bike path along Port Franks Road could provide safe access to the recreation centre and Mud Creek area.
- **Environment** – Port Franks’ unique natural features offer the ideal setting for an environmental education and field walks program. Re-establishing the Karner Blue Butterfly Sanctuary and a public boardwalk along the river will enhance and protect the significant flora and fauna of the area.
- **Pedestrian Crosswalks, Traffic Calming Measures and Signage Upgrades** are also included in the Community Design Master Plan.

15.4.4 Arkona

The Community Design Master Plan prepared for Arkona is based on three key themes: celebrating agricultural views, linking the community’s assets and amenities, country streets and flowering trails. The following elements are included:

- **Building and Landscape Design** –all development should be compatible with the “naturally beautiful” image of Arkona.
- **Gateways and Arrivals** – gateway features at the four edges of town will create a visual threshold and provide a feeling of inclusiveness for residents.
- **Intersections** – the ‘four corners’ intersection will be enhanced by planters, new street plantings, seating and enriched coloured concrete paving. The Community Design

Master Plan recommends tree and shrub plantings, benches and a central planter for a village Christmas tree or fountain on the northeast corner to attract tourists and local residents to the core.

- **Street trees, Furnishing and Lighting** – these should be added to core areas, including the gateway and ‘Rock Glen Block’ areas, as shown in the Community Design Master Plan. A street tree survey would identify mature trees to be replaced and locations where new trees and plantings may be added.
- **Destinations and Linkages** – the Community Design Master Plan identified three key destinations in the community core: Four Corners’ enhancement area, neighbourhood Park on Centre Street and a new play area and splash pad at the community centre. New, wider sidewalks will connect each of the destinations and provide safe linkages. A new walkway will accommodate increasing day use to Rock Glen Falls and provide visitors with an opportunity to walk into the village centre.
- **Environmental** – the Community Design Master Plan suggests linking the new wind farm to the village to provide an educational opportunity for green energy. Redevelopment of a brownfields site at the southern edge of Arkona into a rest stop for tourists will provide another destination for residents to bike and walk.
- **Pedestrian Crosswalks and Traffic Calming Measures** - defined paving and enhanced crossings should provide universally accessible intersections and enhance visibility for approaching vehicles.

15.4.5 Thedford

The Community Design Master Plan prepared for Thedford is based on four key themes: antiques centre, celebrate train heritage, mining and milling history and main street gathering place. The following elements are included:

- **Building and Landscape Design** –all new development should be compatible with the unique natural surroundings and historic character of Thedford.
- **Gateways and Arrivals** – gateway features such as enhanced signage, upgrades to the corner park, and tree plantings in the core area and along the boulevard should provide a visual threshold and a feeling of inclusiveness for the residents of Thedford.
- **Intersections** – banners advertising local events and festivals, new street plantings, seating and enriched coloured concrete paving will enliven the downtown core and enhance the pedestrian experience along Main Street. A new Village Green will provide a focal point and encourage pedestrian movements through the core. New

opportunities for commercial development in the vicinity of the Village Complex should strengthen and complement existing businesses.

- **Street Trees, Furnishing and Lighting** – themed streetscapes, inspired by the village’s railway heritage, will include new street trees, furnishing and upgraded lighting in the core, extending out along Main Street.
- **Destinations and Linkages** –the Community Design Master Plan identifies a number of key destinations in the village, including an upgraded corner park with a water feature, expanded seating areas and new “Village Green” with bandstand, defined locations for residents and tourists to visit historic mining sites and mills and the re-establishment of the former rail line as a multi-use trail for cyclists traveling through the area. Restoring continuity of the rail trail will also enable the trellis bridge to become another destination.
- **Pedestrian Crosswalks and Traffic Calming Measures** are also included in the Community Design Master Plan.

15.4.6 Ipperwash

The Community Design Plan prepared for Ipperwash is based on a key theme: beach culture. The following elements are included:

- **Beach Access Park Upgrades** – subject to acquisition of these provincial lands, improvements to enhance the curb appeal of these parks would go a long way in terms of streetscape beautification and overall community pride. Upgrades such as inclusive accessible washrooms, improved street front appeal with signage and parking definition, and pedestrian and cyclists’ amenities were noted as priority considerations.
- **Wayfinding** - A comprehensive Wayfinding Plan with Sign Design will provide direction and detailed design solutions at all levels of circulation within Ipperwash Community (vehicular, cyclist and pedestrian). Consideration to existing sign by-laws will be required.
- **Bike Lanes** - Additional bike lanes and improved delineation of the existing lanes to connect the community further.
- **Highlighted Intersections** – Three main intersections were identified as key community focal points to improve community identity through details such as pedestrian friendly circulation and amenities, increased safety, gateway markers, signage and lighting.

15.5 Lambton Shores - A Barrier Free Municipality

The *Accessibility for Ontarians with Disabilities Act* strives to make Ontario accessible to all people through the development, implementation and enforcement of new mandatory accessibility standards. The Municipality has developed a Barrier Free Policy Statement and Accessibility Guidelines (May 2003) to assist in the planning, design and development of barrier-free communities. Lambton Shores is committed to:



- The continual improvement of access to existing and future municipal premises, facilities, and services for its ratepayers, staff and visitors with disabilities.
- The participation of people with disabilities in the development and review of its Annual Access Plan through the Lambton Shores Accessibility Advisory Committee.
- The implementation of its Accessibility Guidelines for municipal facilities, roads, sidewalks etc.

15.5.1 Policies

Lambton Shores is committed to barrier free access for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society. Based on this framework, policies for barrier free access are:



- Lambton Shores will take a leadership role in encouraging accessibility through the implementation of its Policy Statement and Accessibility Guidelines.

- Public spaces shall be designed to be accessible and safe for all members of the community in accordance with the statement and guidelines.

- The Advisory Committee will prepare an annual Accessibility Plan

covering the identification, removal and prevention of barriers through policies, bylaws, programs, practices and services.

- Council will seek the advice of the committee on the accessibility of all existing and future municipal facilities, and, where appropriate, the accessibility of development subject to Site Plan Approval.
- Barrier-free access for persons using walking or mobility aids shall be provided in all public and publicly accessible buildings and facilities and along major pedestrian routes, in compliance with the *Accessibility for Ontarians with Disabilities Act* (AODA) and with reference to the Integrated Accessibility Standards Regulation (IASR). Such barrier-free access features may include level surfaces, ramps and curb cuts, railings, automatic door openers and rest areas.
- Barrier-free features shall be integrated with the functional and design components of the site and/or buildings.
- Through site plan control, new developments shall meet accessibility standards to ensure there is universal barrier-free access for all individuals within the Community.
- Ensuring accessible information and communication to residents through the provision of accessible formats and communication supports upon request.
- Lambton Shores encourages public and private agencies to provide support and assistance to residents with disabilities. Efforts can address physical access, suitable work environments, transportation and training programs for residents with disabilities.

FORMER WASTE DISPOSAL SITES

16. FORMER WASTE DISPOSAL SITES

Located throughout the Municipality, former waste disposal sites are subject to Ministry of Environment, Conservation and Parks policies. Consultation with Ministry of Environment, Conservation and Parks is required for any proposed development or change of use within 500 metres of a closed waste disposal site. Ministry of Environment, Conservation and Parks approval, under Section 46 of the *Environmental Protection Act*, is required for a change of use for a former landfill site that is more than 25 years old. Former waste disposal site are shown on Schedules A and A1 to A8.

Any development, or change of use, on or within 500 metres of the perimeter of an active or closed waste disposal site will be subject to consultation with the Ministry of the Environment, Conservation and Parks before any zoning by-law, zoning by-law amendment, official plan, official plan amendment, or other *Planning Act* approval is adopted or granted for such lands. A study may be required to be undertaken by a qualified professional that evaluates the presence and impact of environmental contaminants including but not necessarily limited to methane gas and leachate. The study will address the feasibility of mitigation measures if required. If it is found that a potential adverse effect or potential risk to health and safety does exist, development may be restricted and /or refused.

Where development or change of use is proposed on a waste site, no zoning by-law, zoning by-law amendment, official plan, official plan amendment, or other *Planning Act* approvals will be adopted or granted until approval from the Province and/or its delegate for the proposed use is obtained in accordance with Section 46 of the *Environmental Protection Act*. After 25 years have lapsed since lands or lands covered by water have been used for the disposal of waste, the municipality or *Planning Act* approval authority may request the provision of appropriate technical studies that evaluates the presence and impact of environmental contaminants including but not necessarily limited to methane gas and leachate. The study will address the feasibility of mitigation measures if required. If it is found that a potential adverse effect or potential risk to health and safety does exist, development may be restricted and/or refused.

The former Grand Bend municipal waste disposal site has been assumed by the County of Lambton and is subject to the County's Waste Management Plan.



NATURAL RESOURCES

17. NATURAL RESOURCES

Natural resources include air, water, woodlots, aggregates and petroleum.

17.1 Water Conservation

The Municipality strives to operate a sustainable water system through the Lambton Shores Water Supply and Distribution System.

Based on limiting “first use” of treated water and maximizing re-use of “grey water”, a sustainable water system focuses on the interplay of water use, reuse and disposal. Treated water use should be restricted to “first use” – uses having a direct impact on public and personal health, such as drinking, cooking and bathing. The Municipality limits “first use” of water in a number of ways:

- Section 15.1.5 of the Official Plan indicates that Council may require a “Sustainability Plan” be submitted for Plan of Subdivision/Condominium and Site Plan applications. “Water Conservation, Efficiency” would be major component of a plan and covers low water use landscaping, grey-water re-use for lawn and garden watering, alternative ground covers, water saving fixtures and water saving appliances.
- Other measures for conserving water include:
 - Outdoor water use restrictions, an effective way to reduce peak water use.
 - Water for firefighting and other non-potable water uses do not need to be treated to drinking water standards.
 - Educating the public about water use and reuse.
 - Promoting efficient use and conservation of water resources within the community
 - Promoting water efficient landscaping tools

The ultimate long-term goal of a sustainable water system is a biosphere solution where all water is recycled and reused.

The Municipality is encouraging the conservation of water and has established an ongoing meter replacement program to ensure metering and consumption accuracy,

17.2 Energy Conservation, Air Quality and Climate Change

The PPS requires that municipalities support energy efficiency and improved air quality through land use and development patterns. Consistent with this, the Lambton Shores Official Plan:

- Promotes compact form, nodes and corridors.
- Promotes alternative transportation modes, such as walking and cycling in and between residential, shopping and employment areas.
- Promotes the mix of housing/employment uses to shorten commutes and decrease congestion.
- Promotes building and land use design and orientation to maximize the use of alternative or renewable energy, such as solar and wind energy, and the beneficial effects of vegetation.

Lambton Shores is committed to improving air quality, reducing the Municipality's impact on climate change and raising public awareness on air quality and climate change. For example, the Municipality may consider:

- Replacing its vehicles with hybrid vehicles or those that use alternate green energy fuel.
- Energy efficiency improvements for Municipal facilities.
- Converting traffic lights to light-emitting diodes technology for energy savings Lobbying support from senior government initiatives aimed at reducing trans-boundary air pollution.
- Encouraging Federal and Provincial initiatives to develop and enforce improved emission standards and increased fuel efficiency for motor vehicles and industrial operations.

17.3 Alternative and Renewable Energy Generation

Lambton Shores will facilitate and provide opportunities for renewable and alternative energy systems. A renewable energy generation facility generates electricity from an energy source renewed by natural processes such as wind, water, biomass, biogas, and biofuel, solar or geothermal energy. Alternative systems significantly reduce harmful emissions to the environment, when compared to conventional energy sources using fossil fuels.

The Municipality, due to its location on the Lake Huron coast, has a number of wind energy projects. At a smaller scale, energy is being produced from stand-alone solar facilities and on farms from agricultural source materials.

17.3.1 General Policies

Alternative and/or renewable energy systems will be subject to studies to demonstrate, to the satisfaction of the Municipality, how potential adverse effects, on existing or proposed development with regard to the natural heritage system, noise, dust, vibration, plume, air quality, cultural heritage resources, views and vistas, shadows, land use compatibility, public health and safety, risk, and soils stability and water quality and quantity will be mitigated.



New or expanded alternative and/or renewable energy systems should be developed at scales appropriate to the context of the immediate area and Municipality, in accordance with provincial and federal standards, and designed and constructed to minimize impacts on adjacent land uses in order to prevent adverse impacts from odours, noise and other contaminants and minimize risk to public health and safety.

17.3.2 District Energy

Within developments that will be maintained as a single entity such as a plan of condominium or group of buildings under single ownership, the Municipality supports the use of district energy systems, and systems supporting the heating and cooling of buildings through the use of a shared thermal distribution system.

17.3.3 Wind Energy

Large scale wind turbines shall be directed to lands within Prime Agricultural and Rural Area designations in order to reduce the potential for land use conflicts in Settlement Areas.

Small scale wind turbines may be permitted in all land use designations.

Wind turbines of all sizes will be subject to demonstrating that they will be located in positions and at distances from sensitive uses to avoid nuisances and hazards including, but not limited to, noise, shadow flicker, and blade glint.

17.3.4 Solar Energy

Ground mounted solar renewable energy generating facilities in excess of 100kW name plate capacity will not be permitted in the municipality, on lands that consist of Specialty Crop Lands and Class 1 and 2 Agricultural Lands under the Canada Land Inventory.

Small scale solar panels that provide electricity for use on the same property will be considered accessory uses.

Roof mounted solar generating facilities of all sizes will be encouraged subject to confirmation that the supporting structure is capable of bearing the weight.

17.4 Agricultural Woodlots

Agricultural Woodlots are a valuable renewable resource and may be harvested in a sustainable way or used for maple sugar operations, in accordance with good forestry and Environmental Farm Management practices. Stewardship programs for woodlots are outlined in Section 3.6.

17.5 Aggregates and “EXTRACTIVE” Areas

Lambton County, as a whole, is “aggregate poor” since only a limited number of areas have sand or gravel deposits of sufficient quantity and quality. In contrast, significant aggregate resources are found in Lambton Shores along the Wyoming Moraine. Arkona is especially rich in aggregate resources. Policies are included in Section 11 of the Official Plan.

17.6 Petroleum

Lambton Shores requires the long-term protection of petroleum resources (see definition, Section 2.6). All of the Municipality’s identified hydrocarbon wells are identified as inactive. The following policies apply:

- All resources must be protected from development that could potentially preclude or hinder their continued use or expansion or are incompatible for reasons related to public health and safety or environmental impacts.
- The Municipality will ensure that no development is permitted around any former operating petroleum wells for maintenance, servicing and safety reasons. Appropriate setbacks shall be required as identified in the *Oil, Gas and Salt Resources Act*.
- Development of resources, including exploration, drilling, production and storage shall comply with the *Petroleum Resources Act* and any other applicable Federal and Provincial requirements.
- Exploration of petroleum resources will not require an Official Plan or Zoning By-law amendment.
- Well and well-site cleanup and rehabilitation is required under the *Oil, Gas and Salt Resources Act*. The Province shall be consulted should existing or future land use designations and zoning patterns conflict with required well and well-site rehabilitation measures.
- Planning decisions shall take into consideration the locations of oil and gas resources as identified in the County of Lambton Official Plan. The mapping of the resources in the County Official Plan is not definitive and may have historical inaccuracies. For sites with or near resource features, the Municipality and development proponents should reference the Ontario Oil, Gas, and Salt Resources Library for the most up to date information and specific feature details including estimated accuracy of well locations. In coordination with Lambton County, the Municipality shall consult with the Province:
 - Regarding new non-petroleum developments located less than 75 metres from existing wells. This setback should ensure adequate spacing around the well head to provide access for maintenance and address general land use incompatibilities; and
 - Where assistance is needed in the identification of well sites, in areas suspected of containing improperly plugged wells.

17.7 Abandoned Oil, Gas and Water Wells

To avoid adverse impacts on groundwater, all abandoned oil, gas and water wells must be decommissioned by a contractor licensed under the *Petroleum Resources Act* or the *Ontario Water Resources Act*, as applicable.



ECONOMIC DEVELOPMENT

18. ECONOMIC DEVELOPMENT

18.1 Economic Development Policies

Consistent with the Provincial Policy Statement (PPS 2020) and Lambton County Official Plan, Lambton Shores will promote economic development and competitiveness by:

- Investing in public and private projects and programs which promote a high quality of life in Lambton Shores and improve our municipality so that it is attractive, safe, and sound for business to invest.
- Encouraging an appropriate mix and range of employment, institutional and broader mixed uses to meet long-term needs.
- Continuing to diversify its economic base, by promoting industrial development, a competitive eco-tourism, agri-business and food sector, including the local food movement, as emerging economic activities.
- Maintaining a range and choice of suitable sites for a wide range of economic activities reflecting the needs of existing and future businesses, including facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment.
- Planning for new employment areas and ensuring the necessary infrastructure is available for current and future uses.
- Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

The Lambton Shores Economic Committee has developed an action plan with 7 priority areas of focus:

- developing a solid economic foundation;
- developing a visible Lambton Shores brand;
- a prosperous business base;
- an active, creative and cultural sector;
- sustainable growth; and
- a thriving tourism industry.

The Lambton Shores Harbours Committee has been established as a forum for stakeholder engagement and communication respecting harbours and marinas in

Lambton Shores with the mandate of developing a harbour strategy to determine short and long term goals to enhance the harbour areas of Port Franks and Grand Bend, and upstream in the Ausable Cut for the public and various stakeholders.

18.2 Objectives

Lambton Shores' objectives for long-term prosperity include some of the following:

- Our core commercial areas in Forest, Grand Bend, Arkona and Thedford are vibrant and thriving.
- Our tourism economy is thriving and sustainable and eco-tourism is a key component of our economic strategy.
- Our agricultural economy is strong. Sustaining and enhancing the viability of the agricultural system is achieved through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network.
- Our Lambton Shores Industrial Park is growing.
- Municipal marinas remain a major component of the tourism economy.
- An Economic Development Strategy has been established.
- Our natural heritage features, functions, and systems are conserved and healthy.

Lambton Shores other objectives for ensuring long-term prosperity are:

- Optimize the long-term availability of land, resources, infrastructure and public service facilities.
- Promote the redevelopment of brownfields sites.
- Develop alternatives to car use, as part of a multi-modal transportation system.
- Provide opportunities for increased energy generation, supply and conservation, including alternative and renewable energy systems.
- Promote opportunities for economic development and community investment-readiness.
- Encourage residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce.
- Maintain and, where possible, enhance the vitality and viability of downtowns and mainstreets.

- Encourage a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.
- Encourage efficient and coordinated communications and telecommunications infrastructure.

18.3 Policies for Encouraging Economic Growth

- The Municipality will organize its assets and efforts around its competitive advantages, assets, and emerging opportunities. The Municipality will seek to attract and create the resources, assets, and people (including the knowledge and intellectual capital) that best position the Municipality to exploit its competitive advantages, assets, and emerging opportunities.
- Lambton Shores will continue to support and work with the Sarnia-Lambton Economic Partnership, Sarnia-Lambton Tourism, Chambers of Commerce, and Business Improvement Associations (BIAs) across the Municipality to promote economic development.
- Lambton Shores will work with the Sarnia-Lambton Economic Partnership to achieve its mission. The Sarnia-Lambton Economic Partnership (SLEP) is the lead economic development organization for the County. It will identify and strengthen economic resources, work to attract industry, and promote economic incentives. It will provide direction, leadership, and support to community-based economic development in conformity with the economic goals and strategies of this Plan. SLEP will facilitate the joint efforts of business, education, labour, First Nations, and local government as primary partners in problem solving and foraging for new opportunities in a way that establishes common vision and priorities, reduces duplication, eliminates silos, and leverages existing community resources and expertise. SLEP shall conduct ongoing performance measurement.
- Lambton Shores will continue to work with the County, SLEP, BIAs, and Chambers of Commerce to identify and support new market segments locally.
- Lambton Shores will work with the County to ensure that the physical needs of business are addressed, which includes ensuring that:
 - a diversity of zoned and serviced sites are available to support a range of industrial and service activities;

- urban communities and employment areas are adequately served by telecommunication facilities; and,
 - industrial areas, including industrial and business parks, are well designed and have a high level of available amenities, including access to major transportation routes that are attractive to new investors.
- Lambton Shores promotes the maintenance and improvement of modern infrastructure systems including roads, railways, airports, harbours, bus services, pipelines, and telecommunications networks to service existing and future employment centres. Lambton Shores further supports the expansion of the linkages between such infrastructure to strengthen the movement of people, as well as the trading of goods and services.
 - Lambton Shores will encourage the creation, development, and support of technologies as necessary infrastructure for economic development, and as a means to expand the economic resource base.
 - Lambton Shores encourages the provision of high quality and high speed telecommunications throughout the Municipality, particularly cellular and internet services.
 - Lambton Shores encourages the development, redevelopment, repurposing, rehabilitation, and/or remediation of underused downtowns, mainstreets, and commercial districts; resource extraction areas; former institutional, industrial, and commercial sites; and brownfield sites and contaminated sites. Lambton Shores will include guidelines for development of such sites as necessary in its Official Plans and may choose to develop incentive programs.

18.4 Supporting Sustainable Economic Growth

- This Plan acknowledges the need for economic development to proceed in a way that natural resources, such as air, soil, and water are available for human and environmental health in the long term. This Plan advocates however for the formulation and application of environmental policies in a reasonable way that recognizes an equal balance between environment, society, culture, and economy.
- Lambton Shores will pursue opportunities such as manufacturing and consulting in association with the development of renewable and alternative energy production. Renewable and alternative energy generation will be supported in appropriate

locations when deemed socially and economically sustainable and where imposing no burden to local infrastructure.

18.5 Supporting Entrepreneurs and Innovation

- This Plan recognizes that the majority of economic growth and job creation is likely to come through expansion of existing business and industry, local entrepreneurialism, and local innovation, as opposed to the attraction of a major industrial employer.
- Home-based work is an important component of the local economy that shall be encouraged as a source of local entrepreneurialism and business incubation. Lambton Shores will ensure that land use policies and regulations (including this Official Plan and Zoning By-laws) will enable residents to operate appropriate, subsidiary businesses from their homes and farms within reasonable guidelines. Home occupations must not unduly impact the character and amenity of residential areas and uses. Zoning provisions will be established and minor variance and zoning amendment processes will be used to mitigate potential impacts to adjacent uses.
- Lambton Shores supports the creation of local business associations. Lambton Shores may designate Business and Community Improvement Areas and implement of Community Improvement Plans to support entrepreneurship and innovation.
- Lambton Shores will develop strategies for assisting home occupations that outgrow residential neighbourhoods to find appropriate locations for their expanded activities.

18.6 Growing the Agricultural Economy

- Lambton Shores will continue to support the improvement of the economic base of Agricultural Areas, including on-farm diversified uses and agriculture-related uses through the implementation of local policies and Zoning By-laws that grow the agricultural sector, with the goal being to protect and improve economic and employment spin-off benefits. Such local policies and Zoning By-laws will provide for:
 - forms of agriculture that provides more employment on a per acre basis;
 - identification and exploitation of non-traditional, non-local, and niche markets;

- on-farm and local processing and/or retail of agricultural products and by-products;
 - promotion of unique local foods;
 - stronger linkages between local food producers and major local food distributors and consumers within settlements, including restaurants;
 - agri-tourism; and,
 - on-farm economic diversification.
-
- Lambton Shores supports the diversification of local agricultural crops and value-added processing. Lambton Shores supports policies that strengthen linkages between local food producers, distributors, and major consumers like restaurants and institutions.
 - Lambton Shores will develop strategies for assisting farm-based secondary uses that outgrow agricultural areas to find appropriate locations for their expanded activities.



IMPLEMENTATION

19. IMPLEMENTATION

19.1 Introduction

This section outlines the tools available to implement the Official Plan. Lambton Shores will also continuously monitor key trends and indicators, undertake comprehensive five year reviews and amend the Plan, as required. These actions are required to ensure that the Official Plan:

- Is responsive to changing community values and socio-economic trends
- Provides valid direction for evaluating and implementing proposals for change
- Reflects development pressures and changing conditions.



19.2 Interpretation of Official Plan

19.2.1 Schedules

The boundaries of the land use designations shown on the schedules are approximate. Boundaries of land use designations coincide with distinguishable features such as roads, public laneways, utility corridors, railroads, watercourses, or other clearly defined physical features. In all other instances, boundaries of land use designations shall be determined by review of: existing zoning by-laws; prevailing lot depths; orientation of lot frontages; lot patterns; and land use patterns. Amendments to the Official Plan are not required to make minor adjustments to land use boundaries, provided the general intent of the Plan is maintained.

This Plan contains Schedules, Tables, Maps and Appendices. For the purposes of implementation:

- a) A Schedule is part of the policy framework and forms part of this Plan. Settlement Area boundaries and Hamlet boundaries on a Schedule are fixed and definitive;
- b) A Table is a summary of policy requirements in a graphic form and is part of this Plan;
- c) A Map is a visual guide or aid provided to assist the reader in understanding the geographic location or context of a policy and does not form part of this Plan; and,

- d) An Appendix is intended to provide policy context to the reader and does not form part of this Plan.

19.2.2 Text

Unlike a Zoning By-law, an Official Plan is not a legally enforceable document. Based on this, it should not be subject to strict, legal interpretation.

Permitted uses listed in the Official Plan are not meant to be complete or exhaustive, but to illustrate the range of uses and activities permitted within each land use designation. Amendments will not be required for similar uses, provided the intent of the Plan is maintained and the use conforms to the Plan's policies.

All numerical criteria and standards included in the text shall be considered approximate only and not absolute, except as they apply to flood elevations. Amendments will not be required for a minor change in any of the numerical criteria and standards used throughout the Plan or to correct any minor technical errors or omissions.

19.2.3 Definitions

Unless otherwise noted, the definitions included in Section 2.6 apply throughout the Official Plan.

19.3 Official Plan

19.3.1 Official Plan Review

Every ten years, as required by the *Planning Act*, Council will hold a public meeting to consider the need for a review of the Official Plan. In addition, Council will monitor the continued relevance of the Official Plan to identify the need for amendments. The following factors will be monitored:

- County growth allocations and the degree to which such allocations are being achieved;
- The continuing relevance of the vision that forms the basis of all policies found in this Plan;
- The degree to which the objectives of this Plan have been met;
- The amount and location of lands available for urban development;

- Whether the Municipality has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- The Municipality's role within the County and its relationship with other municipalities;
- Development trends in the County and their effect on development in Lambton Shores; and,
- Matters which are necessary to address to ensure consistency with or conformity to County and Provincial Plans and policy documents.
- economic conditions, covering agriculture, commercial, industrial and tourism development;
- housing trends and requirements;
- implementation of the Plan's Natural Heritage System and Cultural Resource policies; and
- adequacy of infrastructure and public service facilities.

Lambton County is responsible for determining settlement area boundaries and is the approval authority for boundary expansion. Settlement area expansion is not necessary to accommodate the future growth anticipated during the time horizon of this Official Plan. In the event that a settlement area expansion is contemplated, settlement boundary expansions shall only occur through co-ordinated Local and County amendments as part of a municipal comprehensive review that reflects the County market area, growth projections, allocations and intensification targets set by the County and where:

- a) Sufficient opportunities for growth are not available through intensification, redevelopment and Greenfield development in designated settlement area lands to accommodate projected needs within the regional market area and within the Municipality;
- b) The expansion makes available sufficient lands for a time horizon not exceeding 25 years based on the analysis outlined above;
- c) Existing or planned infrastructure and public service facilities required to accommodate the proposed expansion over the long term can be provided in a financially and environmentally sustainable manner and protect public health and safety;
- d) In prime agricultural areas:
 - i. The lands do not comprise specialty crop areas;
 - ii. There are no reasonable alternatives; and

- iii. There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.
- e) Impacts from the proposed expansion on adjacent agricultural operations close to the Settlement Area can be mitigated to the extent feasible including compliance with the Minimum Distance Separation formulae;
- f) The loss of mineral aggregate extraction opportunities is minimized;
- g) Potential negative environmental impacts are mitigated including addressing the source of drinking water as outlined in this Plan, the Source Water Protection Plan, and the Lambton County Official Plan;
- h) In determining the most appropriate location for expansions, the policies of this Plan and the Lambton County Official Plan shall be applied;
- i) The timing of the expansion and the phasing of the development within the proposed expansion area would not adversely affect the achievement of any intensification and redevelopment.

Lands located within the Industrial designation will not be converted to another use except with the support of a Municipal Comprehensive Review prepared and supported by the Municipality and County. In undertaking a Municipal Comprehensive Review, it shall be demonstrated that:

- a) There is a need for the conversion;
- b) The Municipality will meet the employment forecasts articulated in the County of Lambton Official Plan;
- c) The conversion will not adversely affect the overall viability of the employment area and the achievement of intensification or density targets or other policies of this Plan;
- d) There is existing or planned infrastructure to accommodate the proposed use;
- e) The lands are not required over the long term for employment purposes for which they are designated; and,
- f) Cross-jurisdictional issues have been considered.

19.3.2 Official Plan Amendments

Amendments to the Plan may be proposed from time to time. Council will consider approving an amendment if it:

- Conforms to the land use planning principles in the Plan respecting community form and growth management.

- Maintains the original intent and purpose of the Plan.
- Is needed and can be justified based on accepted planning and engineering principles.
- Is consistent with the Provincial Policy Statement (PPS 2020).

19.4 Pre-Consultation and Complete Development Applications

Pre-consultation and complete applications are required for all applications for Official Plan Amendments, Zoning By-law Amendments, Plan of Subdivision/Condominium Approvals, Site Plan Approvals, variances and consents for land severance. A Municipal By-law is required to enact the policies included in this section.

The purpose of pre-consultation is to ensure that Council can properly evaluate applications and make consistent and appropriate decisions within the time periods prescribed in the *Planning Act*. The policies also help ensure that the public has access to all relevant information early in the planning process.

A Pre-Consultation Meeting allows the applicant an opportunity to discuss the development application with Municipal staff prior to submitting the formal application. The Municipality shall encourage pre-consultation with other affected agencies such as the County, First Nations, and the Conservation Authority, where appropriate. The Municipality may require the provision of additional supporting information or material required to allow full consideration of the application. The scope of the information or material required for each application shall be determined by the Municipality and the County as part of the pre-consultation process. At the meeting, staff will advise the applicant of:

- Applications that must be submitted concurrently.
- Reports/studies and any additional information on the site and surrounding area that must be submitted with the application to ensure it is “complete”. Required reports/studies will reflect the complexity of the application. Additional information may not be required for simple or minor applications.
- Reports/studies may be required to address the matters shown on TABLE 6.

TABLE 6
Required Reports/Studies

Matters	Reports/Studies
Cultural Matters	The Official Plan's requirements and studies pertaining to development that may affect cultural heritage and archaeological resources are outlined in Section 14.
Environmental and Natural Matters	The contents of an Environmental Impact Study (EIS) are outlined in Section 3.5.
Sustainability Plan	Required for Plan of Subdivision/Condominium and Site Plan applications, as outlined in Section 15.1.
Transportation Matters (Traffic Study)	To ensure that the proposed development can be accommodated by the existing transportation network, with no negative impacts on the network and surrounding land uses. Reports will also identify any lands and on- or off-site transportation improvements required to accommodate the proposed development.
Infrastructure Matters (Servicing Study)	To ensure that the proposed development will be adequately serviced by municipal water, sanitary sewer, stormwater management systems and other servicing infrastructure.
<i>Environmental Assessment Act</i> Requirements	Reports/studies on transportation and infrastructure matters will also identify the need to address the requirements of the <i>EA Act</i> .
Financial Matters	To demonstrate that a proposed development will have no undesirable or unanticipated financial impacts on the Municipality.
Natural Hazards	Technical reports such as Flood and/or Erosion Assessments, Geotechnical Reports, and Coastal Reports.
Planning Justification Report	A Planning Justification Report prepared by a qualified professional that analyzes the relevant policies, guidelines, studies and requirements for the proposal.

Matters	Reports/Studies
Urban Design	An urban design brief is to address the design policies and streetscape policies of this Plan.

All reports/studies must be prepared by a qualified professional. Lambton Shores may appoint a “peer reviewer” to review any reports/studies, at the applicant’s cost.

19.5 Zoning

The Zoning By-law is the key tool for implementing the Official Plan. Passed under the *Planning Act*, it regulates the use of land and the location, use, character and height of buildings and structures. The Zoning By-law must conform to the land use designations and policies of the Official Plan.

As authorized by the *Planning Act*, Council may also pass other types of zoning and development control by-laws as shown on **TABLE 7**.

TABLE 7
Zoning and Development Control By-laws

Type of Zoning	Provisions
Holding Zones	<p>The Zoning By-law may contain Holding provisions which will be used where it is necessary to zone lands for development where the future land use has been sufficiently justified but where there are outstanding matters which cannot be handled through zoning and more specifically identified as:</p> <ul style="list-style-type: none"> - Water, wastewater and/or storm water servicing requirements; - Road improvements or extensions; - Dedication of lands for park purposes or payment of cash-in-lieu for park land dedication; - Verification of suitable environmental site conditions; - Special land use policies, including but not limited to policies to guide redevelopment or certain lands and/or policies to guide appropriate urban design; - Phasing of development; or - An Environmental Impact Study which determines specific measures to prevent impact on natural heritage features.

Type of Zoning	Provisions
Zoning with Conditions	Conditions to zoning related to the use, erection or location of a use. The conditions may be included in an agreement with the owner registered on title. The agreement may be enforced against subsequent owners.
Temporary Use By-law	Authorization of the temporary use of lands, buildings or structures for any purpose not permitted by the Zoning By-law, but generally maintaining the intent of the Official Plan. A Temporary Use By-law: <ul style="list-style-type: none"> - Defines the area to which it applies - Defines the period it is in effect, usually not exceeding 10 years for garden suites and three years for other uses. Other examples of temporary uses are parking lots, fairs, carnivals and special events - When the by-law expires, the use will not be considered as a legal non-conforming use. -
Interim Control By-laws	Prohibits the use of land, buildings or structures within a defined area on an interim basis (less than one year) except for such uses set out in the By-law. An Interim Control By-law may be passed when Council has directed that a land use planning study or similar study be completed. The by-law may be extended for another year to a maximum of two years.
Community Planning Permit System	Combines zoning, site plan and minor variance into one process, allowing a comprehensive, co-ordinated approach to large developments. May provide for ongoing monitoring of natural environment protection measures, for example. Agreements may be registered on title.

19.5.1 Conditional Zoning

- In accordance with Section 34 of the *Planning Act*, Council may, through a zoning amendment, impose one or more conditions on the use, erection or location of lands and/or buildings and structures that shall be fulfilled subsequent to approval of the amendment and must be fulfilled prior to the issuance of a building permit for development. Conditions that shall be imposed through a zoning by-law amendment shall be consistent with prescribed Provincial regulations and may include: a requirement to implement measures identified through the zoning amendment review, the provision of services and infrastructure and the protection of natural

resources, built environments, sustainability, energy efficiency, and public health and safety.

- Council shall require the owner of land subject to a zoning amendment to enter into an agreement to implement, maintain and/or enforce a condition of zoning approval or to provide a time limit for completion of such conditions. The agreement will be registered on title against the lands and will be enforced against the present and subsequent owners.
- Proposed changes to conditions subsequent to the decision of Council shall require a further zoning amendment.

19.6 Non-Conforming Uses

Legally non-conforming uses are uses that were legally established, but are now not permitted by the Official Plan and/or Zoning By-law. Although the Official Plan encourages the transition or redevelopment of these uses to conforming uses, legally non-conforming uses have the right to continue indefinitely provided that the use remains the same as on the day the Zoning By-law was passed and continues to be used for the same purpose.

In the Zoning By-law, Council may recognize a use that does not conform to the Official Plan provided that:

- The use generally conforms to the intent of the Official Plan.
- The use does not involve hazardous activities or substances.
- The use does not contribute to air or water pollution problems.
- The use is generally accepted in the area, does not suffer from deterioration or lack of maintenance and will have no adverse impacts on the development potential of adjoining lands.

Over the long-term, uses that are not permitted by the Official Plan and Zoning By-law should cease to exist or relocate to an area where it will conform to the Official Plan.

19.7 Plans of Subdivision/Condominium

The subdivision of land into lots or blocks and the creation of a condominium development are regulated by the *Planning Act*. The authority to approve Plans of Subdivision/Condominium has been delegated to the Municipality of Lambton Shores.

A draft plan of subdivision is a plan submitted to Council for approval under Section 50 of the *Planning Act* which proposes to divide lands into lots and blocks, and includes the laying out of public roads.

A registered plan is a draft plan of subdivision which has received final approval from Council and is registered at the Land Registry Office. The lots, blocks and roads shown on the registered plan are created as a result of the registration of the plan at the Land Registry Office.

All Plan of Subdivision/Condominium applications will be accompanied by plans drawn to scale showing the information required by the *Planning Act*. Servicing and Traffic Studies may be required for all Plan of Subdivision/Condominium applications. Other reports that may be required to form a “complete application” are outlined in Section 19.4 including a Sustainability Plan (see Section 15.1).

As required by the *Planning Act*, Council will evaluate applications according to the following criteria:

- effect of the development on matters of Provincial interest, as outlined in the *Planning Act* and the Provincial Policy Statement (PPS 2020);
- if the plan is premature or in the public interest;
- conformity of the Plan of Subdivision/Condominium with the land use designations and policies of the Official Plan;
- suitability of the land for the purposes for which it is to be subdivided;
- dimensions and shapes of the proposed lots;
- adequacy of infrastructure, including public streets, water supply, sanitary sewage collection and disposal, public streets, stormwater management, waste collection and disposal and public utilities;
- adequacy of public service facilities, including fire and police protection, parks, pedestrian and cycling links, schools and other public service facilities;
- conservation of natural resources and flood control;
- minimization of potential impacts on:
 - adjoining existing and future land uses and opportunities for the integration of the subdivision with adjacent lands and development; and
 - the transportation network and significant natural and cultural heritage features;
- area of land to be conveyed or dedicated for public purposes.

- energy efficiency and conservation, as covered by the Sustainability Plan (Section 15.1).

In approving a Plan of Subdivision/Condominium, Lambton Shores may stipulate that approval lapses at the end of three years if construction of the development has not commenced. Council may also extend the draft approval subject to a time frame considered appropriate by Council. All Plans of Subdivision/Condominium will be subject to a Subdivision Agreement between the Municipality and owner. As authorized by the *Planning Act*, the Municipality may attach conditions to a Plan of Subdivision/Condominium requiring:

- That a Zoning By-law amendment or minor variance be obtained.
- Dedication of parkland or cash-in-lieu of land for other recreational purposes.
- Dedication of land for future road widenings, daylighting, bridges, one-foot reserves, pedestrian walkways, bicycle paths, and trails.
- Fulfilment of any Municipal financial requirements.
- Servicing agreement, if required, for the extension of services.

The Municipality also may pass a by-law under the *Planning Act* deeming old registered and undeveloped Plans of Subdivision to be unregistered due to inadequate lot size, access, services or location in an environmentally or culturally significant area.

Council may also adopt Subdivision and Site Plan Guidelines in the future to assist with the preparation and evaluation of applications.

19.8 Committee of Adjustment

19.8.1 Consents for Land Severance

The Lambton Shores Committee of Adjustment functions as the Municipality's Land Division Committee and deals with applications under the subdivision of land of the *Planning Act*. These include consent to severance of the ownership or rights in the use of land by sale and purchase or by mortgage, lease, or other form of agreement for a period of 21 years or more.

When dealing with a consent application, the Committee must first be satisfied that a Plan of Subdivision is not necessary for the proper and orderly development of the land. In general, applications for multiple consents will be limited to a maximum of three lots

located on an existing public road. When the proposed lot and/or use of the land do not comply with the Zoning By-law, a consent shall not be given until the required Zoning By-law amendment or minor variance application has been given.

When reviewing an application for consent, the Committee will consider the following:

- Any lots created must conform to the Official Plan's land use designations and policies and comply with the Zoning By-law.
- All of the criteria included in the *Planning Act* for considering Plan of Subdivision applications. These criteria are outlined in Section 19.7 of the Official Plan.
- The size and shape of the lots to be created must be appropriate for the intended use, compatible with surrounding existing and future development and not adversely affect the development potential of adjoining lands.
- The proposed lots must front onto or have access to an existing improved and maintained public road and not involve a road extension or create a traffic hazard. Infill development on private roads is allowed in certain areas, as outlined in Section 13.2.9.
- New lots must not create any landlocked parcels.
- Adequate municipal services and utilities must be available. Lots serviced by individual on-site water services and/or individual on-site sewage services must meet all requirements of the Ontario Building Code and Lambton County Building Services Department.
- In circumstances where limiting lot area is necessary or desirable to preserve agricultural lands, mitigate impacts to the natural heritage system, or maximize future development potential of retained lands, new lots shall generally be limited to the size needed to accommodate the proposed land use, including any on-site private servicing. In this respect, new lots serviced by individual on-site sewage services shall be subject to the completion of a hydro-geotechnical or similar report to determine the private sewage system design and the lot area required to comply with provincial requirements for on-site sewage services. With the exception of land uses with exceptional servicing needs, no such report shall be required where the lot size necessary to reasonably accommodate the proposed land use is 0.8 hectares or greater in clay soils or 0.4 hectares or greater in sandy soils.

For the following specific areas, the Committee must also be satisfied that:

- The consent conforms to the policies for severances in the "Agricultural" area, included in Section 4.3 of the Plan.

- The consent conforms to the Plan's policies for the preservation of significant natural and cultural heritage features.
- Consents are not permitted in significant natural heritage features, including ESA's.
- The consent does not potentially fragment lands designated "Open Space" or interfere with the potential for the development of multi-use trails.

As authorized by the *Planning Act*, the Committee may attach conditions to a severance requiring:

- That a Zoning By-law amendment or minor variance be obtained.
- The dedication of parkland or cash-in-lieu.
- The dedication of any road widenings, one-foot reserves, daylighting, bridges, multi-use pathways, etc.
- Fulfilment of any Municipal financial requirements.
- A servicing agreement, if required, for the extension of services.



19.8.1.1 Other Powers of the Committee of Adjustment Respecting Parcels

The Lambton Shores Committee of Adjustment has the power, pursuant to the *Planning Act*, to issue Certificates of Validation and Certificates of Cancellation.

- Certificates of Validation validate past land transfers completed in contravention of the *Planning Act* and can be used to remove clouds from title. The Committee may issue such certificates to correct historic, inadvertent errors, where it does not contravene the policies of this Plan.
- Certificates of Cancellation nullify the effect of specific, previously granted, unstipulated consents. The Committee may grant such certificates to effect the merger of parcels where such merger is desirable and consistent with the policies of this Plan.

19.8.2 Other Powers of the Committee of Adjustment

Pursuant to the *Planning Act*, Lambton Shores Committee of Adjustment has the power to:

- Authorize a minor variance from the Zoning By-law in respect of land, buildings or structures or the use of the land.

- Permit the enlargement or extension of a legal non-conforming building or a change in the use of land or a building from a legal non-conforming use to another non-conforming use.
- Permit the use of land, buildings or structures for any purpose, that in the opinion of the Committee, conforms to the uses permitted and defined in general terms in the By-law.

The Committee may also authorize a minor variance from the provisions of any By-law implementing the Official Plan in respect of land, buildings or structures. A Municipal by-law is required to empower the Committee with these powers.

19.8.2.1 Minor Variance Applications

As required by the *Planning Act*, the Committee must consider the following matters when considering an application for minor variance:

- is the requested variance minor?
- is the general intent and purpose of the Official Plan maintained?
- is the general intent and purpose of the Zoning By-law (or other By-law which implements this Plan) maintained? Would it be unreasonable or impossible or impose undue hardship on the applicant to comply with the Zoning By-law?
- is the minor variance desirable for the appropriate development or use of the land, building or structure?

19.8.2.2 Permission Regarding Legal Non-Conforming Use

When dealing with these applications, the Committee will be satisfied that the use:

- has been continuous from the day the Zoning By-law was passed to the date of the application;
- was legally established under the laws in force at that time;
- will be in keeping with the general intent of the Official Plan, in particular, policies regarding non-conforming uses (Section 19.6) and will not aggravate those aspects of the use that do not conform to the Official Plan and Zoning By-law.

The Committee will consider the following criteria:

- is the long-term continuation of the use appropriate?

- is the extension, enlargement or change in use necessary to avoid undue hardship to the applicant? Does it exacerbate the objectionable features of the use?
- are required municipal services and parking and loading facilities adequate?
- does the use cause any detriment, hazard or annoyance, potentially detracting from the amenity of adjoining property? Can conditions be imposed to mitigate these impacts, such as landscaping and buffering?
- will granting the application interfere with the development potential of adjoining properties?

19.8.2.3 Permission Regarding Use

When dealing with an application for permission regarding a use defined in general terms, the Committee must determine if the proposed use:

- conforms to the general intent and purpose of the Official Plan;
- generally complies with the uses permitted in the Zoning By-law.

The Committee of Adjustment may attach conditions to the granting of approval, as it deems appropriate.

Lambton Shores may consider establishing a local appeal board for the appeals of minor variance applications. The board will be established as outlined in the *Planning Act*.

19.9 Site Plan Control

The objectives of Lambton Shores' Site Plan Control powers are to enhance the efficiency of land use and servicing, implement the Official Plan's sustainability and urban design policies, encourage more attractive development and ensure compatibility with existing development. Official Plan policies particularly relevant to Site Plan Control include:

- Policies for Community Design for Forest, Grand Bend, Port Franks, Arkona, Thedford, and Ipperwash included in Section 15.4;
- Policies for roads, parking and loading, pedestrian facilities, trails and bike paths, included in Section 13;
- Stormwater management policies included in Section 13.4;
- Sustainability, as outlined in Section 15;

- Urban design guidelines for various types of development in Lambton Shores included in Section 15 and accessibility policies included in Section 15.5.

The entire Municipality is a Site Plan Control Area. However, in order to avoid undue restrictions, certain classes of development or geographic areas will be exempted from Site Plan Control, as defined through the Site Plan Control By-law. Site plan approval and site plan agreements may be required for agricultural uses. The Site Plan Control By-law shall identify any agricultural uses subject to Site Plan Control.

As defined, “development” and “redevelopment” applies to the construction, erection or making of an addition or alteration to a building or structure that has the effect of substantially increasing its size and usability, the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers. The Site Plan Control process, regulated under the *Planning Act*, requires the submission of plans showing the location of all buildings, structures and facilities to be developed, including facilities designed to have regard for persons with disabilities. Drawings showing plan, elevation and cross-section views of each building must also be submitted showing:

- The massing and conceptual design of buildings, including relationships to adjacent buildings, streets and exterior areas providing public access.
- Interior walkways, stairs and elevators with public access from streets, open spaces and interior walkways in adjacent buildings.
- Matters relating to exterior design, including the character, scale, appearance, design features and sustainable design.
- Sustainable design elements on adjoining Municipal roads, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities. A Sustainability Plan may be required for Site Plan approval, as outlined in Section 15.1.5.

Areas of Archaeological Potential (see definitions, Section 2.6) are designated on **Schedule D**. In these areas, proposed development and redevelopment subject to Site Plan Control also requires an archaeological assessment, completed in accordance with Section 14.1.

As a condition to Site Plan approval, Lambton Shores may require the owner of the land to provide the following to the satisfaction of, and at no expense to, the Municipality:

- Widening of abutting roads to the minimum right-of-way widths outlined in Section 13.2.
- Subject to the *Public Transportation and Highway Improvement Act*, facilities to provide access to and from the land, such as access ramps and curbing and traffic direction signs.
- Off-street vehicular loading and parking facilities, access driveways, including driveways for emergency vehicles and the hard surfacing and curbing of such areas.
- Walkways and walkway ramps, including hard surfacing, and all other means of pedestrian access, including facilities for access for disabled persons.
- Facilities for the lighting, including floodlighting, of the land, buildings and structures.
- Walls, fences, hedges, trees, shrubs and other groundcover or facilities for the landscaping of the land or protection of adjoining lands.
- Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.
- Easements conveyed to the Municipality for the construction, maintenance or improvement of watercourses, ditches, drainage works, sanitary sewage facilities and other public utilities of the municipality or local board on the land.
- Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and wastewater from the land.

The owner is required to maintain these facilities to the satisfaction of the Municipality, including the removal of snow from access ramps and driveways, parking and loading areas and walkways. The owner may also be required to enter into one or more agreements with Lambton Shores dealing with and ensuring the provision and maintenance of all the facilities, including parkland dedication.

19.10 Other Development Control Tools and By-laws

Other development control tools that may be used by Lambton Shores include Interim Control By-laws, Temporary Use By-laws and cash-in-lieu of parking by-laws. Other Municipal By-laws pertaining to land use planning include:

- the Property Standards By-law will be enforced by the Municipality to deal with sub-standard properties and avoid the deterioration of others;
- the Site Alteration By-law. This by-law requires Council permission for any grading, excavation and the placement of fill;
- a Sign By-law to regulate signs.

19.11 Public and Agency Participation

The planning process in Lambton Shores will be inclusive and accommodate people of all ages, abilities, incomes and cultural diversities. As deemed appropriate the Municipality will also seek the assistance and co-operation of the Kettle and Stony Point First Nation, Pinery Provincial Park, service clubs, environmental advocacy groups, adjoining municipalities, Provincial Ministries and other government bodies and institutions. Lambton Shores supports the efforts of all of these bodies and will participate in their special events and initiatives. Partnering opportunities will also be considered by Council.



The Municipality will engage, consult, and partner, as appropriate, with Indigenous communities when considering planning matters and decisions that may affect their interests.

Public participation on all planning matters will comply with the provisions of the *Planning Act*. For development applications requiring more than one planning approval, Council may hold a joint public meeting to consider all of the applications. Notification will also be given jointly.

19.12 Future Studies/Actions

To assist in implementing the Official Plan, the Municipality may undertake to develop or update any of the following studies and other actions:

- Homeowner Guidelines for the stewardship of residential property along the lakeshore and Old Ausable Channel.
- Development of an Alternative Land Use Service (ALUS) program to compensate farmers for putting their lands into “environmental service”.
- A Transportation Master Plan of the Grand Bend Area. Focusing on alternative modes of transportation, including walking and cycling, the Master Plan will provide long-term solutions to traffic and parking problems in Grand Bend.
- A Built Heritage and Cultural Landscapes Master Plan.
- A new Zoning By-law to implement the Official Plan.
- Plan of Subdivision/Condominium and Site Plan Guidelines.

- Revised Site Plan Control By-law to include lands with high archaeological potential.
- Enter into data sharing agreements with MNRF for use of the Ministry's Ontario Geospatial Data Exchange and Ministry of Culture for use of its data base.

19.13 Delegation of Authority

19.13.1 Council may, in accordance with the *Planning Act*, delegate approvals of matters stipulated in this Official Plan to a Committee of Council or an individual who is an officer, employee, or agent of the Municipality. Every delegation of approval shall be done through the passage of a delegation By-law by Council.

19.13.2 The following approvals may be delegated in accordance with Policy 19.14 and subject to the policies of Section 19.14:

- a) Minor changes to zoning of a property or properties;
- b) Removal of "H" Holding provisions;
- c) Temporary use by-laws;
- d) Additional dwelling units;
- e) Approval of garden suites;
- f) Cash-in-lieu of parking agreements;
- g) Part Lot Control;
- h) Execution of a Site Plan Agreement;
- i) Consents; and,
- j) Subdivisions.

19.13.3 Every delegated approval decision shall comply to the policies and designations of the Official Plan.

19.13.4 Delegated minor changes to zoning of a property or properties may be approved for:

- a) Siting, size and dimensions of buildings, structures, and similar uses;
- b) Off street parking and loading;
- c) Signs; and,
- d) Screening and landscaping.

19.13.5 Where required, minor changes to zoning that result in the appropriate development of the lands, have no detrimental impacts on adjoining properties, maintain

the intent, policies, and principles of the Official Plan and the Zoning By-law, and have regard for the design principles and guidelines of this Plan and the Municipality, will generally be permitted.

19.13.6 Delegation of approvals for minor changes in zoning may be established for the following:

- a) Low density residential homes or groupings of homes of 10 units or less;
- b) Additional dwelling units;
- c) Garden suites;
- d) Shared Housing; and,
- e) Small scale residential, industrial and commercial development.

19.13.7 Delegation of approvals for minor changes in zoning may be established for the following applications:

- a) To implement an approved Site Plan;
- b) To implement Part Lot Control;
- c) To implement consents where there are no unresolved agency or community comments;
- d) To implement a Plan of Condominium where there are no unresolved agency or community comments; and,
- e) To implement subdivisions where there are no unresolved agency or community comments.

19.14 Land Acquisition

Land may be acquired, held, and/or disposed of by the Municipality for the purposes of implementing any part of this Plan.

19.15 Guidelines

In order to assist in good planning, improving planning service delivery for end users, and ensuring land use impacts are appropriately addressed, the Municipality may prepare guidelines and technical studies to assist with the implementation of this Plan. Implementation Guidelines are recognized as statements adopted by resolution of Council which detail the manner in which policies established in this Plan will be implemented. Implementation Guidelines will not be used as instruments to introduce new

policy provisions that could be the basis for denying development applications under the *Planning Act*, or for interfering with the natural justice rights of landowners and the public.

19.16 Monitoring of the Official Plan

Monitoring of the Official Plan implementation is an important approach to identify any issues or emerging opportunities with the Plan's implementation. Every year, a monitoring update report should be provided to Council that identifies:

- a) Growth in Housing and Employment
- b) Population Growth
- c) Updates on any decisions of the Local Planning Appeal Tribunal that impact the Official Plan.

19.17 Facilitation of Development Approvals

The Municipality will facilitate and expedite, in conjunction with the County and affected agencies and other interests, the development approval process by:

- a) Investigating and implementing measures to eliminate duplications, consolidate responses, and reduce time delays;
- b) Ensuring development applications follow regulations and include all the necessary provisions as stated under the *Planning Act*.

APPENDIX A

Built Heritage and Cultural Landscape Resources

Planning Area	Feature	Description	Date
Grand Bend	Ontario Provincial Plaque	Grand Bend (naming)	1830s
	Site/Structure	Colonial Hotel	1858
	Site/Structure	Brenner Embankment (north side of river at the bridge), poured concrete structure housed acetylene apparatus to light the main intersection (corner of Colonial Hotel post)	1915
	Site/Structure	Grand Bend pier	1906
	Site/Structure	Iron Bridge (disused) on River Road, spanning Canada Company Cut	1910
	Site/Structure	Brewster Mill Site & Dam, Southcott Pines	
	Site/Structure	Oak Lodge, owned by Dr. J. Brigham	1897
	Site/Structure	Canada Company Cut	
	Site/Structure	Original log cottages, Beach O'Pines	1930s
	Site/Structure	The School House Restaurant, portion of structure was formerly the earlier Public School	
	Site/Structure	Benders Pub, oldest residence in Grand Bend	
	Site/Structure	Ausable River Bridge, Highway 21 at the Cut	1963
Arkona	Site/Structure	Rock Glen Mill site, at the falls	
	Site/Structure	Rock Glen Power Electric Dam site	
	Site/Structure	Wintemute's General Store	prior to 1877
	Site/Structure	Vahey Store	1885
	Site/Structure	Royal Hotel	1884
	Site/Structure	Wesleyan Methodist Church	1862
	Site/Structure	Methodist Manse	1896
	Site/Structure	Methodist Episcopal Manse	1875
	Site/Structure	Baptist Church	1912
	Site/Structure	Lucas House, south side of King Street, east of Hobbs-McKenzie Drain	
	Site/Structure	Paisley House, north side of King Street (west of John)	
	Site/Structure	Wight House, southwest corner of King and John	
	Site/Structure	Conkey House, northeast corner of King and John	
	Site/Structure	Yorke House, 8 King Street	
	Site/Structure	Walters House, east side of North Street at Hobbs-McKenzie Drain	
	Site/Structure	Bellenger House, north side of Union Street, west of Smith Street	
	Site/Structure	Holmes House, northwest corner of Union Street and Smith Street	
	Site/Structure	Anderson House, northwest corner of Centre and Ward	
	Site/Structure	Richter House, corner of Church and Centre	
	Site/Structure	Marsh House, north side of King Street, east of North Street	
	Site/Structure	Marsh House, south side of King Street, east of Richmond	

Planning Area	Feature	Description	Date
	Site/Structure	Waltho House, south side of King Street, east of Richmond (Henry Utter farm)	
Forest	Ontario Provincial Plaque	The Founding of Forest	1858
	Site/Structure	Historic Downtown along King Street	
Port Franks	Site/Structure	Waverly Hotel	
	Site/Structure	Canada Company Cut	
	Site/Structure	Barn structure now on property of New Venice Farms, served as evaporator shed, formerly located at the Salt Block, Port Franks	
Thedford	Ontario Provincial Plaque	The Founding of Thedford	1858
	Site/Structure	Site of Elijah Monger, Widder	
	Site/Structure	Grand Trunk Storage Shed	
West Bosanquet	Site/Structure	Gustin's Lake Valley Grove Resort, LVG	
Kettle Point/ Ippeewash Beach	Ontario Provincial Plaque	The Indian Flint Bed	
	Site/Structure	former Mary Baker cottage	
	Site/Structure	Bank Barn on farm of Lyle/Eddison McIntyre, original portion of structure used to hold religious services prior to church construction	1850s
	Site/Structure	Ippeewash Army Camp	
Rural Area	Site/Structure	Marsh Mill site, Hungry Hollow	
Unknown	Site/Structure	Mint evaporator on Sitter property (condenser tube, boiler, steam house)	WWII
	Site/Structure	Amos General Store	1902
	Site/Structure	Bossenberry Hotel	1906

APPENDIX B

Federal and Provincial Legislation

APPENDIX B Federal and Provincial Legislation

Legislation	Provisions
Federal Legislation	
<i>Navigable Waters Protection Act (NWPA)</i>	Prohibits interference with a navigable water unless plans are approved by Transport Canada (TC)
<i>Fisheries Act</i>	Prohibits the Harmful Alteration, Destruction or Disruption (HADD) of fish habitat, unless authorized by Department of Fisheries and Oceans (DFO). Fish Habitat Compensation Plans are required to ensure no net loss of fish habitat
<i>Migratory Birds Convention Act</i>	Prohibits harms to migratory birds and nests. The Ontario <i>Fish and Wildlife Conservation Act</i> protects non-migratory species
Provincial Legislation	
<i>Species at Risk Act</i>	Protects Federal wildlife species from becoming extinct or lost from the wild
<i>Clean Water Act</i>	Protects Ontario's drinking water resources and will benefit water's ecological and recreational value. <u>Source Protection Plans</u> will identify potential risks to drinking water and actions to reduce or eliminate risks
<i>Endangered Species Act</i>	Protects Provincial wildlife species at risk and their habitats, provides greater support for volunteer stewardship, a stronger commitment to recovery of species and more effective enforcement provisions
<i>Ontario Heritage Act</i>	Provides mechanisms for protecting built heritage resources
<i>Planning Act</i>	Regulates Planning In Ontario