

**File No.:** 37-OP-2021-007  
**Municipality:** Municipality of Lakeshore

**Date of Decision:** DRAFT  
**Date of Notice:**  
**Last Date of Appeal:**

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## NOTICE OF DECISION

### With respect to an Official Plan Amendment No. 16 Subsection 17(34) and 21 of the Planning Act

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A decision was made on the date noted above to approve with modifications, the Official Plan Amendment No. 16 for the Municipality of Lakeshore, as adopted by By-law 24-2021.

#### **Purpose and Effect of the Official Plan Amendment**

The purpose of the Official Plan is to provide direction for future land use and resource management throughout the municipality. The Official Plan designates all lands for intended future uses such as Agricultural, Residential, various Commercial Designations, Mixed Use, Employment, Natural Conservation, etc. The document is intended to provide direction for planning and development for the next 25 years. A copy of the decision is attached.

#### **Effect of Written Submissions on Decision**

The Manager, Planning Services for the County carefully reviewed and considered each of the submissions based on the County's responsibility to ensure that the Lakeshore Official Plan Amendment conforms to, or does not conflict with, the County Official Plan, is consistent with the Provincial Policy Statement 2020, and conforms to, or does not conflict with, the applicable Provincial Plans.

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#### **When and How to File an Appeal**

Notice to appeal the decision to the Local Planning Appeal Tribunal (LPAT) must be filed with the County of Essex no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Manager, Planning Services at the address shown below and it must,

- (1) include a completed **Appellant Form (A1) Planning Act** available from the LPAT website [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca), and
- (2) be accompanied by the prescribed filing fee payable by certified cheque or money order to the Minister of Finance, and
- (3) set out the reasons for the appeal and the specific part of the proposed Official Plan to which the appeal applies.

The reasons for the appeal must include an explanation of how the proposed official plan amendment:

- Is inconsistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act*;
- Fails to conform with or conflicts with a provincial plan; or,
- Fails to conform with the Essex County Official Plan.

#### **Who Can File An Appeal**

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the amendment was adopted, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the LPAT, there are reasonable grounds to add the person or public body as a party.

#### **When the Decision is Final**

The decision of the County of Essex is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

#### **Getting Additional Information**

Additional information about the amendment, including a complete version of the amendment, is available for public inspection during regular office hours at the County of Essex at the address noted below or from the Municipality of Lakeshore.

#### **Mailing Address for Filing a Notice of Appeal:**

County of Essex  
360 Fairview Avenue West  
Essex, ON N8M 1Y6  
And Email:  
[rbelanger@countyofessex.ca](mailto:rbelanger@countyofessex.ca)

#### **Submit notice of appeal to the attention of:**

Rebecca Belanger, Manager – Planning Services  
Tel: (519) 776-6441, Ext. 1325  
[rbelanger@countyofessex.ca](mailto:rbelanger@countyofessex.ca)

**Other Related Applications** n/a

# DECISION

**With respect to the Official Plan Amendment No. 16 for  
the Municipality of Lakeshore  
Subsection 17(34) and 21 of the Planning Act**

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I hereby modify and approve as modified the Official Plan Amendment No. 16 for the Municipality of Lakeshore, as adopted by By-Law 24-2021, subject to the following modifications:

## **Modification #1**

Section 1.1, Basis of the Official Plan subsection f) is deleted in its entirety and replaced with the following:

f) This Plan is based on Population, Household and Employment forecasting, known as the Foundation Report for the County of Essex, 2011 and a Growth Analysis Study Update for the Municipality of Lakeshore, November 2015, which provides the basis for development and growth management policies by forecasting residential and employment growth and identifying the required land needs over the planning period.

## **Modification #2**

Section 2.3.3, Has Character and a Sense of Place (Community), b) replace the word “First Nations” with “local Indigenous communities”.

## **Modification #3**

Section 2.3.5, Is Well Served and Well Equipped (Servicing and Facilities) first paragraph, the second last sentence is deleted in its entirety and replaced with the following:

The County and local growth forecast will assess the need for any additional settlement areas to accommodate future growth.

## **Modification #4**

Section 2.3.5, Is Well Served and Well Equipped (Servicing and Facilities) b) delete “equitable and”.

## **Modification #5**

Section 2.3.5, Is Well Served and Well Equipped (Servicing and Facilities) f) add the word “completely” to the end of the sentence.

## **Modification #6**

Section 2.3.6, Is Naturally Inviting and Environmentally Aware (Environment) e) is deleted in its entirety and replaced with the following:

e) Direct development away from natural hazards, such as flood and erosion hazards, through the implementation of the recommendations of the Shoreline Management Plan for the Lake St. Clair shoreline and associated floodprone area. Shorelines should be encouraged to be maintained in a predominantly natural state with tree cover and ground vegetation retained, as development occurs, where permitting allows.

## **Modification #7**

Section 2.3.6, Is Naturally Inviting and Environmentally Aware (Environment) h) is deleted in its entirety and replaced with the following:

h) Promote the creation, expansion and enhancement of the natural heritage system in support of the County Official Plan including the restoration areas as identified in the Essex Region Natural Heritage System Strategy (ERNHSS);

## **Modification #8**

Section 2.3.6, Is Naturally Inviting and Environmentally Aware (Environment) i) add the words “and communities” after the words “energy efficient buildings”.

## **Modification #9**

Section 2.3.6, Is Naturally Inviting and Environmentally Aware (Environment) n) is deleted in its entirety and replaced with the following:

n) Consider the impacts of climate change that may increase the risks associated with natural hazards. Work towards minimizing the municipality’s vulnerability, and build resiliency by promoting the development of sustainable and resilient communities through the preparation of a Climate Action Plan for Lakeshore. Work in conjunction with the County of Essex and other partners on energy conservation measures and carbon reduction targets.

## **Modification #10**

Section 3.3a), Comprehensive Review b) vii) is deleted in its entirety and replaced with the following:

b) vii) the land is physically suitable for development, considering any constraints, such as Natural Hazard Lands, Natural Heritage Features, and Human-made Hazards.

## **Modification #11**

Section 3.3.1, Urban Areas, the last sentence of the first paragraph is deleted and replaced with the following:

Growth in the community of Lighthouse Cove will be very limited due to issues associated with natural hazards, and will be guided by the policies in the Lighthouse Cove Secondary Plan.

## **Modification #12**

Section 3.3.1, Urban Areas, the first sentence of the second paragraph is deleted and replaced with the following:

Primary Settlement Urban Areas will be the predominate focus of a full range and mix of residential, commercial, community-related employment, office, institutional, entertainment, cultural, recreational and open space uses.

## **Modification #13**

Section 3.3.2, Employment Areas, e), delete “outside of a Settlement Area, provided that the lands to be transferred from the Employment Area will be removed from the Settlement Area, included within the Agricultural Area and designated an appropriate Land Use Designation” and add “in accordance with the LCR requirements and criteria of Section 3.3a) of this Plan.”

Additionally, delete “In doing so and in the addition to the LCR requirements of Section 3.3a) of this Plan, the Municipality will be satisfied that the following additional matters are addressed for the lands to be transferred to the Employment Area:

- i) the lands are located directly adjacent to a Primary Settlement Area and adjacent to a Special Planning Area as identified on Schedule “A”;
- ii) the lands will be located adjacent to an existing Employment Area, where feasible, and represent a logical extension of the Employment Area;
- iii) the lands will be designated Employment Designation in accordance with the policies of Section 6.11;
- iv) the proposed transfer has regard for compatibility among existing and proposed land uses, through such matters as appropriate separation distances, buffering, and site and building design and orientation, among others matters.”

## **Modification #14**

Section 3.3.2.1, Employment Lands Strategy, the first sentence in the second paragraph is deleted and replaced with the following:

Based on the 2011 Foundation Report for the County of Essex Official Plan, there is a sufficient supply of Employment Lands designated, however due to servicing constraints the Municipality may consider an adjustment to the location of Employment Lands through a Local Comprehensive Review in accordance with Section 3.3a).

## **Modification #15**

Section 3.3.8, Mixed Use Nodes, c) the first sentence is deleted and replaced with the following:

The Municipality will consider the creation of new Mixed Use Nodes, subject to the following considerations:

## **Modification #16**

Section 3.3.10, County Road 42 Regional Corridor, a) is deleted in its entirety and replaced with the following:

Subject to the requirements outlined in the County Road 42 Environmental Assessment and the approval of the County of Essex, direct access to the corridor is discouraged or will be limited in favour of shared/consolidated access points.

## **Modification #17**

Section 4.2.4, Energy Conservation & Generation, Air Quality and Climate Change Adaptation, the last sentence in the second paragraph is deleted in its entirety and replaced with the following:

The County and the local municipalities have finalized a Regional Energy Plan which provides targets and recommendations relating to energy conservation measures across all sectors in Essex County.

## **Modification #18**

Section 4.3.1.1 Supply of Lands for Housing, d) is deleted in its entirety and replaced with the following:

The Municipality will ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. Based on the land use policies of this plan, all forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs will be encouraged in the appropriate locations while avoiding areas of natural hazards.

## **Modification #19**

Section 4.3.1.5.1 Second Dwelling Units, the following is inserted before the last sentence of the first paragraph:

The criteria for reviewing additional residential units in the Agricultural designation is in Section 6.2.1 of this Plan.

## **Modification #20**

Section 4.3.1.5.1 Second Dwelling Units, c) is deleted in its entirety and replaced with the following:

- c) A maximum of two ARUs will be permitted on a lot. ARUs may be located as follows:
  - i) Two ARUs within the principal dwelling; or,
  - ii) One ARU within the principal dwelling and one ARU within an accessory structure.

An ARU will be permitted on the same lot as a garden suite or mobile home, only if the ARU is within the principal dwelling unit.

### **Modification #21**

Section 4.3.1.5.1 Second Dwelling Units, e) the second sentence is deleted in its entirety.

### **Modification #22**

Section 4.3.1.5.2 Garden Suites, a) delete "A garden suite will only be permitted in association with a single-detached residential dwelling on a lot. Where another special housing form, including a second dwelling unit or mobile home exists on the lot, as determined by the Municipality, a *garden suite* unit will not be permitted" and replace with the following:

A *garden suite* will be permitted on the same lot as an additional residential unit (ARU) only if the ARU is contained within the primary dwelling unit.

### **Modification #23**

Section 4.3.2 Campgrounds and Tent/Trailer Parks c) delete point ii) in its entirety and replace with the following:

Appropriate emergency access is available, particularly in compliance with the natural hazard and natural heritage policies of Section 5.0;

### **Modification #24**

Section 4.3.4.1.5 Trails/Greenway a) the first sentence is deleted in its entirety and replaced with the following:

The Municipality will support the implementation of the County Wide Active Transportation Study (CWATS) through on-going partnerships.

### **Modification #25**

Section 4.3.4.1.5 Trails/Greenway c) is deleted in its entirety and replaced with the following:

The Municipality will support an active transportation system and the implementation of the CWATS, the Municipality's Parks Master Plan and the Trails Master Plan which provides a critical connectivity function, linking the Community of Parks to other key amenities, heritage sites, conservation areas and attractions in the Municipality of Lakeshore.

### **Modification #26**

Section 5.2, Natural Environment, the second paragraph is deleted in its entirety and replaced with the following:

Natural heritage features and areas are those lands identified as Provincially Significant Wetlands (PSWs), Significant Habitat of Endangered Species and Threatened Species, Significant Woodlands, Significant Valleylands, fish habitat, locally significant wetlands, Significant Wildlife Habitat, and Area of Natural and Scientific Interest.

## Modification #27

Section 5.2, Natural Environment, the bullet points are deleted in their entirety and replaced with the following:

- i) Lands designated Natural Conservation on Schedule B2 and C, which includes Provincially Significant Wetlands, significant habitat of endangered species and threatened species, and significant natural heritage features, which have been designated for protection within the County of Essex Official Plan.
- ii) Lands identified as Natural Environment Overlay on Schedule B2, which include Significant Woodlands, Significant Valleylands, Areas of Natural Scientific Interest (ANSIs), and other areas identified within the County of Essex Official Plan; and
- iii) Lands identified as Restoration Opportunities Overlay on Schedule B2, which include potential primary and secondary restoration lands for consideration as identified by the County of Essex Official Plan.

## Modification #28

Table 5.1, Natural Environment Types, is deleted in its entirety and replaced with the following table:

<b>Natural Environment Types</b>				
<b>Natural Heritage Feature</b>	<b>Responsible Authority for Determining Significance</b>	<b>Criteria and Methods used to Determine Significance</b>	<b>Schedule</b>	<b>Policies and conditions under which development or site alteration may be permitted</b>
Significant wetlands and significant coastal wetlands	Certified Wetland Evaluator completes the wetland evaluation with submission to the County and Municipality	Delineating wetlands or reviewing and approving the works of others in accordance with the Ontario Wetland Evaluation System (OWES).	Natural Conservation designation on Schedule C series and B2	Development and site alteration shall not be permitted.
Lands designated for natural heritage protection	County of Essex, Municipality	Site-specific request for protection designation by owner.	Natural Conservation designation on Schedule C series and B2	Development and site alteration shall not be permitted.
Other High Priority Existing Natural Features	County of Essex through Municipality	Significant terrestrial natural heritage features as determined by the County of Essex Official Plan.	Natural Conservation designation on Schedule C series and B2	Development and site alteration shall not be permitted.
Significant habitat of endangered species and	Ministry of Environment, Conservation and Parks (MECP)	Review and approval process in accordance with the Endangered Species	Not specifically mapped on Schedules.	Development and site alteration shall not be permitted within significant habitat of

threatened species		Act (ESA).		endangered species and threatened species except in accordance with provincial and federal requirements.
Aquatic and Fish habitat	Fisheries and Oceans Canada (DFO)	Identified through pre-consultation with DFO	Not specifically mapped on Schedules.	Development and site alteration shall not be permitted except in accordance with provincial and federal requirements.
Significant Woodlands	County of Essex, Municipality	All woodlands 2 hectares in size or larger using the size criteria recommended in the Natural Heritage Reference Manual (MNRF, 2010) and as per the County of Essex OP. Smaller woodlands may be considered significant if they exhibit composition, age or quality that is uncommon in the municipality or the region.	Natural Environment Overlay on Schedule B2	Development and site alteration shall not be permitted unless it has been demonstrated through an Environment Impact Assessment (EIA) that there will be no negative impacts on the natural features or on their ecological functions.
Significant areas of natural and scientific interest	Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF)	In accordance with the areas of natural and scientific interest confirmation process. Policies apply to both Earth and Life science areas of natural and scientific interest.	Natural Environment Overlay on Schedule B2.	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or on their ecological functions.
Significant wildlife habitat	County of Essex, Municipality	Using criteria recommended in the Natural Heritage Reference Manual (MNRF, 2010), the Significant Wildlife Habitat Technical Guide and the EcoRegion Criteria Schedules and using Ecological Land Classification.	Not Specifically mapped on Schedules.	Development and site alteration shall not be permitted unless it has been demonstrated through an EIA that there will be no negative impacts on the natural features or on their ecological functions.
Significant Valleylands	County of Essex, Municipality	Significant valleyland features are identified utilizing guidelines	Mapped by ERCA and included as	Development and site alteration shall not be permitted unless it has



		provided in the Natural Heritage Reference Manual (MNRF, 2010)	Natural Environment Overlay on Schedule B2.	been demonstrated through an EIA that there will be no negative impacts on the natural features or on their ecological functions.
Lands adjacent to all natural heritage features	County of Essex, Municipality	A 120 metre adjacent lands width is identified and referenced for all natural heritage features with the exception of Earth Science Area of Natural and Scientific Interest (ANSI) which have a recommended 50 metre adjacent lands width.	Not specifically mapped on the Schedules. Adjacent lands shall be applied to all natural heritage features.	Development and site alteration shall not be permitted on adjacent lands to the natural heritage feature and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an EIA that there will be no negative impacts on the natural features or on their ecological functions.
Unevaluated wetlands	Certified Wetland Evaluator and implemented by the County of Essex and Municipality	Unevaluated wetlands can be identified through processes such as EIAs or candidate natural heritage studies. Once an unevaluated wetland is identified, the next step is to complete a wetland evaluation. The wetland evaluation will result in a determination of whether or not it is provincially significant. The methodology used to determine significance of wetlands is the OWES. Wetlands can be identified by OWES certified evaluators. The County of Essex and Municipality are responsible for accepting all wetland evaluations.	Not specifically mapped on Schedules.	Development and site alteration will not be permitted until the significance of the feature has been determined using OWES. For wetlands determined to be Provincially Significant Wetlands the policies of this Plan relating to significant wetlands and significant coastal wetlands will apply.

**Modification #29**

Restoration Opportunities	County of Essex, Municipality	Restoration Opportunities as determined in accordance with the County of Essex Official Plan.	Restoration Opportunities on Schedule B2.	Provide for a focused approach towards the implementation of the natural heritage system. Supported options may include focused land securement, stewardship activities, and volunteer restoration.
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Section 5.2.1.1, Aquatic and Fish Habitat, a) through f) are deleted in their entirety and replaced with the following:

- a) Development and site alteration shall not be permitted in waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats as identified by the Department of Fisheries and Oceans (DFO).
- b) Where it has been determined by DFO that the development or change in land use will affect natural fish habitat, the authorization from DFO to proceed with the development or change in land use may include requirements to be implemented by the proponent to the satisfaction of the DFO such as:
  - i) Appropriate mitigative measures to protect the affected fish habitat;
  - ii) Compensation for loss of fish habitat through near-site replacement of habitat, off-site replacement of fish habitat or an on-site increase of fish habitat capacity;
  - iii) Appropriate buffering and how such buffering will be protected in the future; and
  - iv) And any other matters as determined by the DFO.
- c) Where it is determined by the DFO that any development will cause negative impacts to fish habitat, such development may not be permitted.

### **Modification #30**

Section 5.2.2 Natural Heritage System, b) the words “The municipality will work to” is added to the beginning of the sentence.

### **Modification #31**

Section 5.3.1, Mineral & Petroleum Resources, replace references to “salt” with “mineral”.

### **Modification #32**

Section 5.3.3 Wayside Pits & Quarries, Portable Asphalt Plants & Portable Concrete Plants, c), be deleted in its entirety and replaced with the following:

- c) Concession or temporary construction and marshalling yards used for public authority projects will be permitted without requiring an amendment to this Plan or Zoning By-law

subject to demonstrating compatibility with adjacent land uses, but will not be permitted adjacent to or within Natural Heritage Features.

### **Modification #33**

Section 5.4.1.1 Limit of the Regulated Area (LORA) b) the first sentence is deleted and replaced with the following:

An amendment to this Plan will not be required to identify or revise the extent of the floodway.

### **Modification #34**

Section 5.4.1.3 Lake St. Clair Shoreline Floodprone Area, at the end of the first paragraph add the following:

The Municipality of Lakeshore has embarked on a project to develop a Shoreline Management Plan for the Lake St. Clair shoreline, map flooding, erosion, and dynamic beach hazards and develop management policy recommendations to increase resilience. The Plan has been endorsed by Council and will be implemented through an Official Plan Amendment.

### **Modification #35**

Section 6.2.1, Permitted Uses, a), d), and e) are deleted in its entirety and replaced with the following:

- a) The primary use of the land shall be agricultural. The permitted uses include the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- d) the Zoning By-law shall permit one primary single unit dwelling per lot;
- e) an additional residence on a lot for the purposes of housing farm help may be allowed once the need for such housing has been adequately demonstrated in terms of the following: the farm helps' working activity is primarily, but not necessarily exclusively, devoted to the farm operation; and the farm operation requires the help to be accommodated close to the farm. The farm help residence should use the same access as the primary single unit dwelling where such dwelling exists, be located within the cluster of farm buildings and will not be eligible for severance in the future;

### **Modification #36**

Section 6.2.1, Permitted Uses, j), iv), is deleted in its entirety and replaced with the following:

- f) agri-tourism uses

### **Modification #37**

Section 6.2.1, Permitted Uses, s), t) and u) are added:

- s) an additional residential unit (ARU) shall be permitted within a primary single unit dwelling subject to the following criteria:
- i. the gross floor area of the ARU is equal to or less than the floor area of the primary single unit dwelling on the lot;
  - ii. the dwelling fronts on and has access to/from a municipal roads;
  - iii. there are adequate services including municipal water; and adequate off-street parking is provided;
- t) a stand-alone ARU, as an ancillary use to a primary single unit dwelling, shall be permitted subject to a Zoning By-law amendment and appropriate zoning regulations being in place. The following criteria will be considered as the basis for all Zoning By-law amendments to permit a stand-alone ARU:
- i. the ARU is subordinate to the primary dwelling on the lot;
  - ii. there is no other stand-alone ARU or garden suite on the property, however an additional ARU may be permitted within the primary single unit dwelling;
  - iii. the ARU should use the same access as the primary single unit dwelling and be located within the cluster of existing buildings;
  - iv. the ARU will not be eligible for severance in the future;
  - v. there are adequate services including municipal water; and
  - vi. other requirements such as parking, tree preservation, landscaping and the provision of amenity areas are adequately addressed;
- u) garden suites shall be permitted as a temporary use in accordance with the policies of Section 4.3.1.5.2 of this Plan and subject to the following criteria:
- i. a maximum of one garden suite per lot is permitted;
  - ii. sufficient parking is provided;
  - iii. the property owner must reside in the primary single unit dwelling on the lot;
  - iv. there is no stand-alone ARU on the property, however an additional ARU may be permitted within the primary single unit dwelling;
  - v. the property owner has entered into an agreement with the Municipality with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the *Planning Act*;
    - a. a certificate of occupancy will be required prior to occupancy;
    - b. there are no servicing constraints and, where the property is served by private on-site sewage services, approval of a garden suite is subject to approval of the Municipality's Building Department; and

- c. the garden suite shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in removing the garden suite or converting it to a permitted use.

### **Modification #38**

Section 6.9.1, Permitted Uses, c) is deleted in its entirety and replaced with the following:

c) Existing single detached dwellings may be converted to multiple dwelling units or to commercial buildings.

### **Modification #39**

Section 7.2, Transportation System, the following is added to the end of the third paragraph:

Furthermore, all proposed developments located adjacent to a County Road will be subject to the County of Essex review and approval.

### **Modification #40**

Section 7.2.1, Movement of Goods and People, the first paragraph is deleted in its entirety and replaced with the following:

The Municipality provides for a range of systems and networks for the movement of goods and people, including roads, cycling and trails, water transportation and rail corridors. The Municipality has access to higher-order transportation systems including major Provincial Highways such as Highway 401 and Highway 77, County Roads, and rail corridors. Every effort will be made to ensure an efficient and safe transportation system to encourage and support economic development in the Municipality.

### **Modification #41**

Section 7.2.1, Movement of Goods and People, e) is deleted in its entirety and replaced with the following:

Through the passing of by-laws, the Municipality may establish that local roads in residential neighbourhoods are not to be used as truck routes in order to protect residents from noise and corridor emission pollutants. Truck routes are to be along Provincial Highways, County Roads, arterial roads, and non-residential collector roads.

### **Modification #42**

Section 7.2.2, Road System, j) i) and iii) are deleted in their entirety and replaced with the following:

- i) improve the transportation system to accommodate the proposed development to the satisfaction of the appropriate road authority, without the road authority incurring any costs;
- iii) dedicate rights-of-way to the appropriate road authority for the development of roads

### **Modification #43**

Section 7.2.2, Road System, k) is deleted in its entirety and replaced with the following:

- k) Transportation impact studies will be undertaken in accordance with the Municipality's Transportation Impact Study Guidelines, and if the development impacts a County Road, the study is subject to the review and approval by the County of Essex.

### **Modification #44**

Section 7.2.2, Road System, l) is deleted in its entirety and replaced with the following:

- l) New development will have regard to the Municipality's Corridor Management and Access Control Policy, and if the development impacts a County Road, it will have regard to the County of Essex's corridor guidelines and policies as well.

### **Modification #45**

Section 7.2.2.1, Hierarchy & Classification of Roads, g) vii) is deleted in its entirety and replaced with the following:

- vii) Other requirements as established by the Municipality or appropriate road authority.

### **Modification #46**

Section 8.2, Official Plan Monitoring & Review, i) replace the words "First Nations" with "local Indigenous".

### **Modification #47**

Section 8.3.3, Zoning By-law, the following paragraph is added at the end of the section:

Applications for Zoning By-law Amendments shall be deemed to be premature if appropriate services and servicing capacity are not available.

### **Modification #48**

Section 8.3.6.2, Consents, b) add the word "minor" before the words "boundary adjustment".

### **Modification #49**

Section 8.4, Engagement & Participation, a) b) c) any reference to the words "First Nations" is replaced with "local Indigenous communities".

### **Modification #50**

Section 8.5, Cross-Jurisdictional Coordination, c) is deleted in its entirety and replaced with the following:

The Municipality will coordinate on planning matters with local Indigenous communities.

### **Modification #51**

Section 8.7, Interpretation, in the first paragraph, add the words “the County of Essex and” before “the Ministry of Municipal Affairs and Housing”.

### **Modification #52**

Section 8.7, Interpretation, c) the last sentence is deleted and replaced with the following:

Where the general intent of the Plan is maintained, and subject to consultation with the appropriate authority, minor adjustments to boundaries will not necessitate an amendment to this Plan.

### **Modification #53**

Section 8.7, Interpretation, after h) insert a new policy i) that states the following:

In the case of a perceived discrepancy between the County of Essex Official Plan and this Plan, the policies of the County of Essex Official Plan will prevail.

And re-number the remainder of the section accordingly.

### **Modification #54**

Section 9.1, Special Planning Areas and Secondary Plans, Introduction, the following sentence is added to the end of the third paragraph ending with “Section 8.3.1 of this Plan”

In the preparation of any Special Planning Background Study, the Municipality will have regard to the recommendations from an Environmental Assessment (EA) of any relevant road authority.

### **Modification #55**

Section 9.2, Emeryville Special Planning Area, b) is deleted in its entirety and replaced with the following:

A Transportation Study Update will be undertaken in support of the Secondary Plan. The Transportation Study Update will have regard to the findings and the recommendations provided by the Environmental Assessment, the County Road 22 Corridor Study, and any other applicable studies. The Transportation Study Update will consider the need and justification for any additional north-south and/or east-west Urban Residential Collector Roads to accommodate existing and planned development, particularly for lands located east of the Fourth Concession Drain and north of Oakwood Avenue.

### **Modification #56**

Section 9.4c) County Road 22 Corridor Special Planning Area, Transportation, Parking and Access, ii) and iii) are deleted in their entirety and replaced with the following:

- ii) The County of Essex has established an access management policy for the section of County Road 22 between County Road 19 (Manning Road) and County Road 25 (Puce Road). New accesses, including those shown conceptually on Schedule “D2”, will require the approval of the County and the Municipality, and shall consider any related Environmental Assessments and must demonstrate an overall benefit to the function of the County Road 22 corridor.
- iii) Limited direct access to County Road 22 east of County Road 25 (Puce Road) will have regard to the County Road 22 Corridor Study and may be permitted through the application of shared/consolidated accesses, site interconnection, and the proper development of the local/internal road and driveway network.

### **Modification #57**

Section 9.5, Wallace Woods Special Planning Area, subsection f) is deleted and replaced with:

The Secondary Plan for the Wallace Woods Special Planning Area will establish an appropriate phasing plan and policies to ensure the orderly, efficient and timely progression of development. The phasing policies will not preclude the orderly development of employment and mixed use buildings, which may include residential uses above grade, commercial, retail, office and employment uses. The Secondary Plan will contain land use schedules to change the designations on land from “Urban Reserve” to the desired future uses.

The phasing of development will proceed through the use of Outline Plans as set out in Section 8.3.2 of this Plan and be guided by the capital projects established through the Municipal Water and Wastewater Master Plan.

### **Modification #58**

Section 9.5, Wallace Woods Special Planning Area, g) the following sentence is added:

The Transportation Study will have regard to the recommended improvements within related Environmental Assessments and any other applicable studies identified by the Municipality and County.

### **Modification #59**

Section 9.8 a), Amy Croft Secondary Plan Area, Transportation, Access and Servicing, i) the last three sentences are deleted as Lanoue Street has been constructed already.

### **Modification #60**

Any and all references to “second dwelling units” throughout the document are to be deleted and replaced with “additional residential units” or short form version thereof being “ARU”.



### **Modification #61**

Schedule “B1-1” Intake Protection Zones and Event Based Areas is amended to remove the reference to the LTVCA Intake Protection Zone. The area identified as the LTVCA Intake Protection Zone is part of the Stoney Point Intake Protection Zones.

### **Modification #62**

The Schedules are amended to update the Conservation Authority Jurisdiction Boundary.

### **Modification #63**

Schedule “B2-1” Natural Heritage Features is deleted and all references to Schedule B2-1 and B2-2 throughout the document are to be deleted and replaced with Schedule B2.

### **Modification #64**

Schedule B2-2 Natural Heritage System is renamed to “Schedule B2 Natural Heritage Features and System”. It is modified to show 4 categories: Natural Conservation Designation, Natural Environment Overlay, High Priority Restoration Opportunities Overlay, and Secondary Priority Opportunities Overlay.

### **Modification #65**

Schedules “A” Community Structure and “C1” Land Use (Rural Area) are amended to replace the area designated Urban Fringe with the area designated Urban Fringe in the Lakeshore Official Plan dated November 22, 2010.

### **Modification #66**

All “C” Land Use Schedules are amended to no longer show Lake St. Clair Floodprone Area/ Initial Floodprone Area, Limit of Regulated Area, and Woodlands.

### **Modification #67**

Schedule “C1” Land Use (Rural Area) is amended to designate the area of Rowsom’s Tilbury West Conservation Area shown as Woodlands to Natural Conservation Designation.

### **Modification #68**

All “C” Land Use Schedules are updated to show the Limit of Regulated Area for the Essex Region Conservation Authority as well as the Lower Thames Valley Conservation Authority.

### **Modification #69**

Schedule "C10" Land Use (Comber) is amended to expand the Parks and Open Space Designation to reflect the expansion of Big "O" Conservation Area.

**Modification #70**

Schedule "D2" Road Classification (Maidstone and Belle River Urban Areas) is amended to turn Lanoue Street to a solid line as it is built already and no longer a Planned Road.

The balance of the Official Plan is **approved** as submitted.

Dated at Essex, Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 2024

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County of Essex