

November 17, 2020

Town of Lakeshore  
419 Notredame Street  
Belle River, ON NOR 1A0

Attn: **Kim Darroch, MCIP, RPP**  
**Manager of Development Services**

Re: **Lakeshore Official Plan Review**

Thank you for the opportunity to review the draft Official Plan update for the Town of Lakeshore that was submitted to this office. The Conservation Authority is responsible for addressing the Natural Hazard Section of the Provincial Planning Policy Statement as well as the Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, O. Reg. 152/06 under the Conservation Authorities Act.

The following are comments provided by staff on the OP review document and associated mapping obtained on-line from the Town's website. Our comments are as follows:

Page 22 – Section 3.3.1 Urban Areas – 1<sup>st</sup> paragraph, last sentence – with the constraints on access (ingress / egress) into and out of Lighthouse Cove, it seems premature to forecast moderate growth for this secondary settlement area. There should be a statement noting that a secondary plan is underway for this community to determine any future growth in this community. As noted in Section 5.4.1 Natural Hazards (pg 112) d), second paragraph – outlines the restrictions for this community.

The LTVCA does not believe that the inclusion of Lighthouse Cove for the infilling and moderate growth is appropriate. There are too many restrictions that should preclude development of any sort in this community. Should also be a statement of no intensification of use or conversion of single family dwellings and/or other structures to multiple residential units due to the flooding hazards associated with this community and lack of adequate access under flood conditions

Page 27 – Section 3.3.3 Hamlet Area, a) – the wording '...may continue to experience limited growth through infilling...and development of vacant lands' again in reference to Lighthouse Cove is premature. It is the Authority's opinion that Lighthouse Cove be placed in a deferred development category until the secondary plan is finalized and solutions to the flood issue and single access into the community is dealt with.

Page 55 – Table 4.1 – Population Forecast by Growth Area – the concern for Lighthouse Cove is that currently there is no safe way into and out of this community under a Regional Flood event given the single access point into this community. Until the secondary plan has provided solutions to access to this community under flood conditions, the CA feels that it is premature to assume a population growth in this community, let alone a forecasted growth of 1,000 additional individuals.

Page 55 – 4.3.1.1 Supply of Lands for Housing d) – last sentence of this paragraph – it should be noted that in areas subject to flooding under Regional Events, such as Lighthouse Cove, that housing / accommodation for individuals with special needs, seniors, etc. should not be a consideration in these areas. Intensification of densities within existing residences should also not be permitted in an area where flooding could isolate the members of this community (discourage intensification in a known hazardous area).

Page 55 – 4.3.1.2 Residential Intensification a) – intensification should be discouraged in areas subject to flooding such as Lighthouse Cove (hazardous lands) due to limited access during a flood event.

Page 62 – Section 4.3.1.4 Special Needs Housing – k) need to add additional wording to the end of this sentence: ‘The Town will ensure, through the review of Special Needs Housing proposals, in consultation with Conservation Authorities, that it be demonstrated that the lands will have safe and dry access at all times, **and located outside of the hazard.**’ Or change the wording to be consistent with Section 4.3.1.5.1 Second Dwelling Units f) ‘The Town will ensure, through the review of Special Needs Housing proposals, in consultation with Conservation Authorities, that *development*...will not be permitted on an existing lot within natural hazard lands, including flood prone areas.’

page 66 – Section 4.3.2 Campgrounds and Tent/Trailer Parks a) iii) – should also include erosion prone areas to this bullet ‘appropriate emergency access is available, particularly in erosion and flood prone areas;’

Page 83 – Section 5.1.1 Source Protection – comments received from Jenna Allain, M.Sc., Source Protection Coordinator, Thames-Sydenham and Region Drinking Water Source Protection:

Overall, the source protection section of the updated OP is well written and reflects the information and policies contained in the local Assessment Reports and the Source Protection Plans. The only change I recommend is updating Schedule B1-1 to remove the reference to the "LTVCA Intake Protection Zone" in the map legend. The area on the map identified as LTVCA IPZ-3 is actually part of the Stoney Point IPZ and should be labeled as such. I would recommend contacting ERCA for any support needed in updating the IPZ references in this schedule, as they are the lead authority for the delineation of the Stoney Point Intake Protection Zone. This area should also be included in the policies outlined in section 5.1.1.1 a) i) and c) which do not reference the LTVCA IPZ-3. Changing the references in Schedule B1-1 from LTVCA IPZ to Stoney Point IPZ will remedy that.

Page 88-89 Section 5.1.2 Watercourses – f) suggested wording addition to this bullet highlighted in yellow; ‘The Town, in consultation with the relevant Conservation Authority and the MNRF will establish an appropriate setback from the top of bank, **and outside of any associated floodway**, for all new development and expansions in order to prevent **hardship from flooding**, erosion, improve water quality, enhance wildlife corridors and protect fish habitat.

Page 91 – Table 5.1 Natural Environment Types – for the 3<sup>rd</sup> item, lands adjacent to significant wetlands and coastal wetlands, as CA’s require permits within the 120 m adjacent lands, should CA’s also be listed under agencies determining significance?

Page 97 – Section 5.2.1 Natural Heritage Features f) should MNRF OWES manual be also referenced in this section?

Page 102 – Section 5.2.3 Natural Conservation Designation Policies c) – need to change MOECC to MECP throughout this section.

Page 103 – Section 5.2.4 Natural Environment Overlay Policies a) – should PSW's also be listed in the second paragraph of this section?

Page 104 – Section 5.2.6 Environmental Impact Assessments, 2<sup>nd</sup> paragraph – as above, MOECC should be MECP. **Check throughout the OP.**

Page 113 – Section 5.4.1.2 Inland Floodprone Area – this section notes that there needs to be a CA permit for a severance. This section needs to be reworded. All the activities noted, excluding a severance, do require a permit from CA's. However, CA's do not require a permit prior to a lot being severed. CA's do consider a Severance as 'development' and review any severances submitted as it would relate to hazards, however the definition for development is not the same under the CA Act as it is under the PPS.

Page 115 – Section 5.4.1.2 Inland Floodprone Area, e) v) – should include special needs housing to this section to prohibit vulnerable populations from locating within defined hazard lands such as flood prone areas. Refer to i), ii) wording.

Page 116 – Section 5.4.1.3 Lake St. Clair Shoreline Floodprone Area, first paragraph, last sentence – repeat the wording for ERCA for the LTVCA; 'The land uses permitted within the Lake St. Clair Shoreline Flood prone Area are determined by the underlying land use designations identified on Schedule "C" and are based on the regulatory flood standard for shorelines, being the one in one-hundred year (1:100) flood standard plus an allowance for wave uprush, or maximum observed flood condition, and/or other water related hazards, for both the Essex Region and Lower Thames Valley Conservation Authorities.'

Given this interpretation, there needs to be a slight modification to page 115 section b) to acknowledge the ice jams here that determine the regulatory flood. Just copy "in recognition of ice jams in proximity to Lighthouse Cove." that was removed from page 116 and move it to b) on page 115.

Page 117 – Section 5.4.1.3 Lake St. Clair Shoreline Floodprone Area c) ii) speaks of a floodway, which doesn't exist as this section is talking about lake flooding. This point can be removed.

Page 118 – Section 5.4.1.3 Lake St. Clair Shoreline Floodprone Area, d) v) – as noted above, should include special needs housing to this section to prohibit vulnerable populations from locating within defined hazard lands such as flood prone areas. Refer to i), ii) wording from page 115.

Page 118 – Section 5.4.1.3 Lake St. Clair Shoreline Floodprone Area, g) & i) – replacement may not be possible if the structure was destroyed by the hazard, unless the replacement can locate completely outside of the wave uprush / floodway hazard.

Page 139 – Section 6.4.2 Land Use Policies, e) – should include special needs housing to this section to prohibit vulnerable populations from locating within defined hazard lands such as flood prone areas.

Page 218-219 – Section 8.3.4 Draft Plan Approval (Subdivisions and Condominium) – should have a bullet directing new development away from risks associated with hazard land constraints in this section, in consultation with the appropriate Conservation Authority. Section k) mentions CA's, but does not have hazard wording.

Page 225-226 - Section 8.3.8 Non-Conforming Uses, b) – need to add another bullet to this section re: that natural hazards can be appropriately avoided and/or mitigated.

Page 273 – Section 9.7 Lighthouse Cove Special Planning Area – there should be a policy around no institutional uses in Lighthouse Cove, including old age homes, special needs housing, etc. Even if a Special Policy Area is created, and the access and egress issues are somewhat addressed, these types of developments should not be located in this area due to the flood hazard issues.

**Schedules:**

Schedule B.1.1 – Intake Protection Zone missing from the LTVCA's portion of the mapping, refer to the Thames & Sydenham Source Water Plan <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/interactive-mapping/>

Schedule B2-1 – the PSW designation is missing from the Rowsom's Tilbury West Conservation Area and the lands south of the CA. Have it identified as a Significant Terrestrial Feature, but it is in fact a PSW.

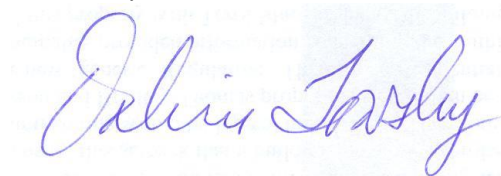
Schedule C.9 – is the farmland at the NW corner of Mariners and Harbour not zoned agricultural / shown as such?

Schedule C.10 – the parking lot for the Big O CA off of Highway 77 has been expanded south through a recent acquisition.

General comment – Any proposed policies that relate to the involvement of the appropriate Conservation Authority for development of Environmental Impact Studies to address natural heritage policy requirements should include an acknowledgement that a Service Agreement (MOU) with the appropriate Conservation Authority needs to be developed and executed prior to the Conservation Authority providing such service.

I trust this is satisfactory, but if you have any questions or require further clarification on the above, please contact the office.

Yours truly



Valerie Towsley  
Resource Technician