Chatham-Kent
Cultivating Growth, Shore to Shore

CHATHAM-KENT OFFICIAL PLAN

ACTION TOWARD SUSTAINABILITY

ADOPTED BY
BY-LAW 12-2005;
MMAH DECISION
DECEMBER 24, 2008
CONSOLIDATED C-K
OFFICIAL PLAN AS OF
NOVEMBER 19, 2018

PART A

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SUSTAINABLE CHATHAM-KENT

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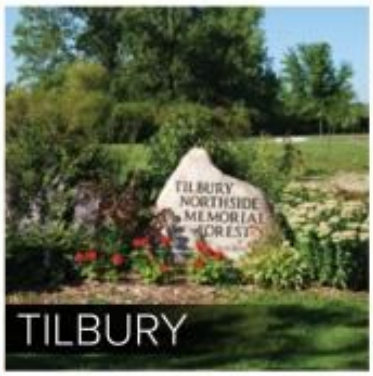

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1. COMMUNITY CONTEXT

In the heart of Southwestern Ontario, Chatham-Kent is an idyllic community, strategically located less than an hour away from three major United States border crossings. Nestled between Lake Erie, Lake St. Clair and Lake Huron, with the historic Thames and Sydenham Rivers running through it, water shapes Chatham-Kent in many ways: from being the inspiration for endless recreation throughout the seasons to being the lifeblood for Chatham-Kent's thousands of acres of rich farmland that grows everything from corn and soybeans to red, ripe tomatoes and grapes in sprawling vineyards. Chatham-Kent enjoys one of the most moderate climates in the country and has many natural gifts including Rondeau, Wheatley and Clear Creek Forest Provincial Parks, and the St. Clair National Wildlife Area.

rivardand deep historical roots. From its heritage and black history, immigrants from around the world, and to ancient First Nations; this community is culturally rich.

Chatham-Kent boasts safe communities and homes that are perfect for any-size family and all stages of life – from young families to active retirees. With several urban centres and hamlets, Chatham-Kent has a good mix of urban and rural life.

Chatham-Kent's proximity to major urban centres in Southern Ontario and the northern United States has historically helped it attract major industries, and the Municipality continues to attract new business. Chatham-Kent is a thriving centre of innovation, full of creative thinkers and entrepreneurs that are forging new paths and developing ground-breaking techniques and specialized processes. Advanced manufacturers, industrial production, agriculture and technology companies in Chatham-Kent are sought out by centres of excellence from around the world for our innovative thinking and track record for success. In combination with varied, affordable choices in the housing market, diverse cultural facilities, and excellent recreation opportunities, this makes Chatham-Kent an attractive place to live, learn, work, and play.

Chatham-Kent is full of people who want an exciting career, but also demand the very best education for their children: multilingual, primary, secondary, college, and an internationally-respected agricultural university, right here in Chatham-Kent.

People who leave their fields, offices, shops and schools at the end of a productive work week, cruise home in minutes with no traffic jams, then head to the golf course, sports field or arena. People who know world-class medical care by teams of respected professionals is available right here. From the theatres and galleries to the shops and restaurants, Chatham-Kent is *Cultivating Growth, Shore to Shore*.

1.1 THE OFFICIAL PLAN: ACTION TOWARD SUSTAINABILITY

Since Chatham-Kent's inception, thousands of citizens have participated in community-wide planning exercises to identify the many economic, social and environmental pressures converging on Chatham-Kent today. Chatham-Kent has undertaken numerous studies, plans and strategies that address a multitude of subjects and collectively provide direction toward achieving sustainability around the pillars of health, economy, environment and culture to bind all parts of the whole together. These community-wide planning exercises have shown that there is an interest in preserving and enhancing the traditions that make the communities within Chatham-Kent distinctive, and in protecting the natural environment through sound planning principles. Planning is an iterative process, and its purpose is to focus the community in a common direction to achieve sustainability through the lens of civic engagement.

The Official Plan is a key part of Chatham-Kent's planning policy structure that will guide land use decisions in the Municipality. The goal of the Official Plan is to reflect the shared views of its citizens within the established Provincial planning policy framework. The Plan also allows the Municipality to evolve in a way that will contribute to Chatham-Kent's prosperity and to provide a range of opportunities to live, learn, work and play.

1.2 SUSTAINABLE CHATHAM-KENT

Sustainable Community Development is commonly defined as: *Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.*

Four components of sustainability (health, economy, environment and culture) now form the foundation of the Official Plan. The land-use policies found within each component guide decisions that directly affect Chatham-Kent as a whole and serve to balance the needs of the community with fiscal and legislative realities. This is explained throughout the narrative of the Plan.

1.3 OFFICIAL PLAN CONTEXT

To build the policy foundation for the initial version of the Official Plan, the Municipality undertook an analysis of issues, directions and policy options related to spatial development, agriculture and rural land use; the natural environment and parks; and recreation and the waterfront of Chatham-Kent. The analysis was documented in a series of background reports.

The key policy options arising from the issues and options analysis were carried forward into the Strategic Environmental Assessment phase of the Official Plan policy development process. The Strategic Environmental Assessment was a logical framework for comparing policy options, facilitating public input into the decision-making process and selecting the policy direction that would best achieve the desired future as articulated in the First Edition of the Community Strategic Plan. The Strategic Environmental Assessment tested the policy options against the Objectives of the First Edition of the Community Strategic Plan and the Provincial Policy Statements.

The initial Strategic Environmental Assessment exercise was based on the desire to achieve sustainable development objectives. Since the original Official Plan was approved, a number of studies, plans and strategies have been completed, including the following:

- Urban Design Study, 2005
- Cultural Plan, 2007
- Fire Master Plan, 2007
- Transportation Master Plan, 2008
- Library, Final Master Plan, 2008
- Development Charge Background Study, 2008 (Updated in 2009 and 2010)
- Comprehensive Zoning By-law, 2009
- Growth Analysis (2006–2031), 2009
- Trails Master Plan, 2009
- Parks and Recreation Master Plan, 2010
- Community Picture Report, 2011
- Shoreline Area Community Sustainability Plan and Secondary Plan, 2011

- Water and Wastewater Master Plan, 2012
- Housing Study Update, 2012
- Official Plan Comprehensive Review, Phase 1 Report, 2012
- Draft Environmental Study Report, Chatham Western Transportation Link, May 2013

Subsequently, in 2013, the Municipality completed a Comprehensive Official Plan Review. The basis for much of the policy and mapping amendments came from recommendations from these various studies, plans and strategies, along with ensuring that the Plan's policies better reflect current circumstances, trends, changing legislation and Provincial Policy. In addition, the review specifically examined the current land supply designated for residential and non-residential growth across the Municipality, compared to the Municipality's need for development land, based on forecasts to the year 2031. This review was conducted and evaluated through a sustainability lens in order to achieve a sustainable Chatham-Kent.

1.4 PURPOSE

The Chatham-Kent Official Plan is a multipurpose document and a tool for the following:

- *Achieving a safe, healthy and sustainable Chatham-Kent*, by specifically addressing matters related to land-use planning, changing community characteristics and quality of life;

- *Growth management*, by clearly defining growth in terms of anticipated population and housing units, and identifying areas suitable for growth while protecting prime agricultural lands from urban development;

- *Protection and enhancement of natural features and cultural heritage features* by identifying environmental areas suitable for protection and enhancement, providing policies supporting heritage conservation and encouraging stewardship of these important resources;

- Addressing the Province's requirements for planning under the *Provincial Policy Statement,* ensuring (i) efficient, cost effective development and land use patterns, (ii) adequate planning for natural resources, and (iii) protection of public health and safety;

- Addressing Chatham-Kent's needs for *community-level planning* by providing a policy framework for Chatham-Kent's urban and rural settlement areas, economy, natural environment, diverse heritage and community participation.

1.5 ORGANIZATION AND APPROACH

The Official Plan is organized into two distinct parts:

- Part A: The Municipal-wide Structure Plan; and
- Part B: Urban Centre Plans for the Primary Urban Centres.

Part A: The Municipal-wide Structure Plan addresses growth management, economic development, environmental protection, health and safety, and cultural heritage at the Chatham-Kent level. The Part A Plan also provides the land-use designations and supporting policies to guide the use and development of lands located outside of the seven Primary Urban Centres (Chatham, Wallaceburg, Blenheim, Tilbury, Ridgetown, Dresden and Wheatley) in the rural area.

Part B of the Official Plan contains Urban Centre Plans for the Primary Urban Centres that are planned as the key growth centres in Chatham-Kent. The Urban Centre Plans contain detailed land-use plans and supporting policies to guide the use and development of lands in those communities. The Urban Centre Plans are meant to be read in conjunction with the Part A Plan.

Part A: The Municipal-wide Structure Plan contains the following five policy areas and supporting map schedules:

- *Section 2* provides designations and policies for growth management, including projected growth, the municipal-wide urban structure for Chatham-Kent, infrastructure and community improvement.
- *Section 3* provides designations and policies for economic development including industrial, commercial, agricultural, tourism/recreational land uses.
- *Section 4* provides designations and policies for protecting and enhancing the natural environment, addressing major themes of land, water, air, natural resources (e.g., minerals, oil/gas) and nutrient management.
- *Section 5* provides policies for protecting and enhancing the cultural and built heritage in Chatham-Kent.
- *Section 6* provides policies for implementing the Official Plan (planning horizon and zoning tools), monitoring and updating the Official Plan, and community consultation.
- *Section 7* provides more detailed policies that have been developed through a Secondary Plan.
- *Schedule "A" Series* Land Use
- *Schedule "B" Series* Road Network

- *Schedule "C" Series*
  C1 – C17 Natural Heritage & Hazard Features

- *Schedule "D" Series*
  D1 Wellhead Protection
  D2 Intrinsic Susceptibility

- *Schedule "F1"* Sustainable Shoreline Strategy

- *Schedule "G" Series*

  G1 Aggregate Resource Deposits
  G2 Petroleum Pool Resources"

Sections 1 to 7 of this Official Plan and the supporting map schedules constitute Part A of this Official Plan. The objectives and policies in these sections are numbered and are in boldface italicized type. These sections also contain introductory and background information shown in regular type that provides context and describes how the planning policies relate to the strategic directions and actions of the Community Strategic Plan; this information assists in understanding the intent of the policies, but is not policy.

The Urban Centre Plans for the Primary Urban Centres and supporting map schedules constitute Part B of this Official Plan. As with Part A, the introductory and background information shown in regular type provides context and background to assist in understanding the intent of the policies, but this information is not policy.

The map schedules in the Official Plan have been developed using information from the Municipality, the St. Clair Region Conservation Authority, the Lower Thames Valley Conservation Authority and the Province of Ontario. The map schedules should be read in conjunction with the applicable policies in the Official Plan.

The policies shown in boldface italicized type and the introductory text and background information, which are shown in regular type, along with the map schedules "A," "B," "C," "D," "E" and "F" Series, constitutes the entirety of the Plan.

1.6 PUBLIC WORKS AND BY-LAWS

Once this Official Plan comes into effect, no public work will be undertaken and no by-law will be passed for any purpose that does not conform to this Plan, except as specifically provided for under the Planning Act.

1.7 APPLICATION OF THE PROVINCIAL POLICY STATEMENT

Pursuant to subsections 3(5) and (6) of the Planning Act, all comments, submissions, advice and decisions in respect to the exercise of any authority that affects a planning

matter, by the Council of a municipality, a local board, a planning board, a minister or ministry, board commissioner or agency of the government, shall be consistent with the Provincial Policy Statement that is in effect on the date of the decision. Accordingly, the Official Plan must be read in conjunction with the 2014 Provincial Policy Statement, which came into effect on April 30, 2014.

1.8 LANDS NOT INCLUDED IN OFFICIAL PLAN

Certain lands are identified on Schedules "A" and "E" – Land Use as Property Not Included in Official Plan.

a) The First Nations Reserve Moravian of the Thames, Rondeau Provincial Park, Wheatley Provincial Park and Clear Creek Forest Provincial Park are located within the geographic boundaries of the Municipality of Chatham-Kent. Lands within the First Nations Reserve, Rondeau Provincial Park, Wheatley Provincial Park and Clear Creek Forest Provincial Park are not subject to the municipal planning documents, and therefore are not included on the Land Use Schedules in this Plan.

b) When the last Official Plan for the former City of Chatham came into effect, there were properties identified in that Plan as "Properties Not Included in Official Plan". The Land Use Policies and Designations of an earlier 1960s City of Chatham Official Plan continued to apply to those properties. Some of these properties are identified as "Properties Not Included in Official Plan" in this Plan and the Land Use Policies and Designations of the earlier 1960s City of Chatham Official Plan will continue to apply to those properties so identified in this Official Plan.

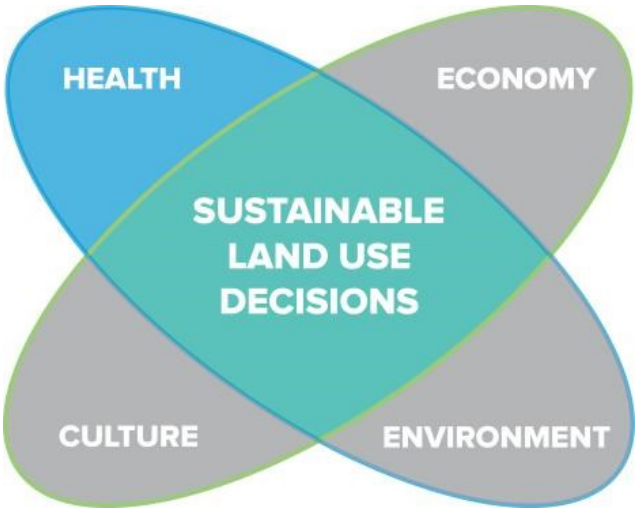
PART A SECTION 2

HEALTH

PART A

2. PROVIDING SAFE, HEALTHY, AND COMPLETE COMMUNITIES

2.1 OVERVIEW



It is recognized that a healthy community starts where we live, learn, work and play, and that creating a healthy Chatham-Kent is everyone's responsibility. No single organization, however innovative or powerful, can accomplish large-scale social change alone; it takes the entire community. The overall health of Chatham-Kent and the extent of its economic growth are inextricably intertwined. Health is the state of complete physical, social and mental well-being and not merely the absence of disease or infirmity. Good health enhances the quality of life, improves workforce productivity, increases the capacity for learning and innovation, strengthens communities and supports sustainable habits and environments for current and future generations. Committed to this belief, working together through strong leadership and community engagement and recognition of mutual interests, strong alliances and shared objectives, community leaders have formed the Chatham-Kent Community Leaders' Cabinet to engage the community in a long-term process to improve and sustain the quality of life for Chatham-Kent residents.

2.2 OFFICIAL PLAN CONTEXT

2.2.1 Community Health and Well-Being

The World Health Organization defines healthy communities as those communities that are "continually creating and improving those physical and social environments and expanding those community resources which enable people to mutually support each other in performing all the functions of life and in developing to their maximum potential." Safe and healthy communities improve the quality of natural resources; provide the necessary lands, roads and hard infrastructure to support existing and future growth; promote public participation in community activities; promote improved access to health and social services; and promote healthy lifestyles and a caring community.

Based on the above concept of a healthy community, the Official Plan supports the provision of a safe, healthy and complete community through affordable housing choices and a range of safe transportation options, quality human services, schools, public spaces and local amenities. The natural environment, including clean air, land and water, is an essential component of a healthy community.

The Official Plan provides the physical context for planning safe, healthy and complete communities in Chatham-Kent, enabling residents to maintain a high quality of life and supporting the development of a sustainable community, which is integral in fostering a strong sense of place.

The Official Plan guides land-use decisions. Land-use decisions and community design have potential impacts on the lives of the people who live and work in the communities. The physical form of a community can affect the overall physical and mental health of the people who live there. The physical form and development patterns of a community can provide greater access to social programs, recreational opportunities, infrastructure, community resources, nutritious food and affordable housing options. Design and development patterns can also provide a safe and healthy environment surrounding child- and youth-oriented land uses, such as schools, libraries, parks, community centres and day care facilities.

The policies in this section work in conjunction with the policies in the Sustaining and Enhancing the Natural Surroundings and Developing a Thriving Economy section of this Official Plan. Policies throughout the Plan promote safe, healthy and complete communities by providing opportunities to live, work, learn, play and shop in the community, supporting healthy choices and healthy outcomes, protecting the important natural resources in the community, improving the movement of people and goods in and through the community, and encouraging public involvement for people of all ages and abilities in community issues.

It shall be the objective of Chatham-Kent to:

2.2.1.1.1 Provide options to facilitate healthy choices and healthy lifestyles.

2.2.1.1.2 Support initiatives that result in improvements to infrastructure and a built environment that support active transportation including safe walking and cycling.

2.2.1.1.3 Promote urban agriculture as a means of promoting local food security, social interaction and physical exercise.

2.2.1.1.4 Support the development of a complete community for people of all ages and abilities.

2.2.1.1.5 Promote equity and provide access to affordable indoor and outdoor recreation facilities, programs, and opportunities.

2.2.1.1.6 Support active transportation throughout the Municipality.

It shall be the policy of Chatham-Kent that:

2.2.1.2.1 The Municipality will integrate safe, convenient and attractive pedestrian and cycling facilities such as sidewalks, cycling routes, corner ramps, pedestrian signals and appropriate lighting as part of the transportation system.

2.2.1.2.2 The Municipality will strive to develop and maintain a continuous sidewalk system and cycling routes to support accessible, safe, convenient, and enjoyable walking for all users.

2.2.1.2.3 Where applicable, the Municipality will develop pedestrian-scale streets, cycling routes and streetscapes that are safe, convenient and attractive and enhance the historical and cultural character of an area. Development and redevelopment requiring improvements to Municipal road right-of-ways shall be required to incorporate streetscaping in compliance with the Municipality's Urban Design Guidelines and in accordance with the Policies contained in Sections B 2.2.7 and 7.1.6 to this Plan. This may be supported through measures such as providing wide sidewalks, sheltered transit stops, street furniture, canopies on buildings, landscaping and street trees, and locating retail and personal service uses at street level.

2.2.1.2.4 The Municipality shall support, through the land use and transportation planning process, the provision of an accessible and affordable range of outdoor settings, including parklands, open spaces, active transportation networks and trails to enhance, encourage and enable an active community.

2.2.1.2.5 The Municipality shall encourage and support cooperation and collaboration between the Municipality, recreation/sport providers, community groups, school boards and the broader community, including local First Nations, to improve community health, support the development of healthy and complete communities, and promote healthy and active lifestyles.

2.2.1.2.6 The Municipality shall consider the creation of an Urban Forestry Plan with particular attention to the planting of street trees, improving streetscapes, and sustaining and expanding the tree canopy to provide adequate shade provision, reduce heat exposure, and improve air quality. Development and redevelopment requiring improvements to municipal road right-of-ways shall be required to incorporate streetscaping in compliance with the Municipality's Urban Design Guidelines and in accordance with the policies contained in Sections B 2.2.7 and 7.1.6 to this Plan.

2.2.1.2.7 The Municipality shall encourage urban forms that incorporate mixed land uses and promote active transportation, and reduced dependence on the automobile as a means of encouraging healthy and supportive lifestyles and improving air quality.

2.2.1.2.8 Design standards will be encouraged to provide for the needs of pedestrians and cyclists, including children, youth, seniors, persons with special needs, and persons with disabilities, with the necessary infrastructure to make them safe, convenient and accessible through the creation of a network of

connected sidewalks, multi-use trails and cycling lanes throughout the community.

2.2.2 Sustainable Food Security

Food is a basic human need and the availability of safe, nutritious, affordable food is critical to the health and well-being of the citizens of Chatham-Kent. Sustainable food security and food systems planning represents a situation that exists when people have secure access to sufficient amounts of safe and nutritious food in order to lead an active and healthy life; whereas, food insecurity may be caused by the unavailability of safe and nutritious food, economic conditions or the inappropriate distribution of food and/or food outlets. To address these challenges, a coordinated approach is necessary, which will require the Municipality to collaborate and work in partnership with other agencies, organizations, citizens and stakeholders to consider connections across the food system. As a component of food security and the overall food system, urban agriculture can help assist in supporting access to healthy foods. In general terms, urban agriculture is a type of sustainable land use in and around urban communities that provides an alternative source of economical food production for urban residents. Examples include private garden allotments, community gardens, edible landscaping and rooftop gardens. Urban agriculture is a means of promoting local food security, social interaction and physical exercise. For example, participation in community gardening contributes to an individual's health and well-being, encourages positive social interaction and provides a connection to nature and the environment.

It will be the objective of Chatham-Kent to:

2.2.2.1.1 Help plan, support and strengthen the local food system so that all citizens will have access to affordable, healthy and local food.

2.2.2.1.2 Encourage and support opportunities for urban agriculture throughout Chatham-Kent's urban communities on both public and private lands.

It will be the policy of Chatham-Kent that:

2.2.2.2.1 The Municipality will look to collaborate and partner with agencies, community organizations, citizens, local First Nations and other stakeholders to consider new and innovative approaches that increase food security by developing a Sustainable Food Security Master Plan to assess the awareness of food security issues and the importance of local food production and distribution within the Municipality. In addition, the Food Security Master Plan will identify appropriate methods of implementing food security programs including, but not limited to, applicable land-use policies and regulations.

2.2.2.2.2 A community garden is defined as an area of land used to produce food, native and ornamental plants, edible berries and food perennials. It is an area of publicly or privately owned land, a rooftop, or other space managed and maintained by individuals and/or organizations, to grow and harvest food crops and/or non-food ornamental crops, such as flowers for personal

or group use, consumption or donation. Community gardens may be divided into separate plots or may be farmed collectively and may include common areas maintained and used by community garden members. Community gardens are permitted within all land-use designations shown on the Land Use Schedules to this Plan, subject to the following:

a) Community gardens are not permitted on lands within areas identified as Natural Heritage on the Schedule "C" Series to this Plan, where the establishment/location of the community garden would require the removal of existing trees or vegetation and/or where its location would have a potential negative effect on adjacent natural heritage features or where the establishment/location of a community garden on or adjacent to steep slopes would pose a risk to human life and/or physical property.

2.2.2.2.3 The Municipality will support community gardens by:

a) Offering, where appropriate, the use of municipally owned lands as new community garden sites, such as vacant, underutilized or undeveloped parcels;

b) Working with community organizations and stakeholders to help identify, secure and retain suitable sites within Chatham-Kent for the development of community gardens, with consideration being given to the criteria identified in Section 2.2.2.2.4;

c) Partnering with community organizations and stakeholders in the promotion and development of community gardens and the preparation of guidelines:

i) for the operation and maintenance of community gardens to ensure a safe water supply, suitable soils, adequate parking and compatibility with adjacent land uses; and

ii) to develop a process that provides for community consultation, when necessary.

2.2.2.2.4 The following criteria shall be used to assess site location and suitability for the development of community gardens:

a) the location and design of the garden is consistent with the character of the area;

b) the garden use is compatible with adjacent land uses;

c) a community/neighbourhood consultation process results in general support for the garden, when necessary;

d) there is access to an adequate and reliable water source and supporting infrastructure/utilities to service the site;

e) there is access to waste removal;

f) where past history, apparent or implied, shows a potential for the soils to have been compromised for the purposes of gardening and food production, testing and a Phase 1 and/or Phase 2 Environmental Site Assessment (ESA) will be conducted to identify steps that are necessary to bring the site to a suitable condition for gardening and the production of food; and

g) there is sufficient space and accessibility to pedestrians and persons requiring the use of mobility devices, where possible.

2.2.2.2.5 The Municipality will track and monitor the location and the level of success with regard to the establishment and operation of community gardens across Chatham-Kent and, if necessary, may consider introducing more detailed provisions into the Zoning By-law to further regulate their location and use.

2.3 GROWTH MANAGEMENT

The policies in this section work in conjunction with the other sections of this Plan to encourage long-term sustainability for new developments and redevelopments, both individual ones and ones for Chatham-Kent as a whole. Specifically, the Plan will provide clarity in planning policy to inform and provide a level of certainty to both private and public sector decision makers and the public. The Plan will provide the basis for decision making toward securing sustainable population, housing and employment growth by supporting developments and promoting land-use changes that reflect the following principles:

- Utilize best practices in promoting efficient development patterns, features and designs that lead to fiscal well-being by providing for proper sequencing of development to take advantage of cost efficiencies in capital investment and programming, minimize land and energy consumption, reduce greenhouse gas emissions and provide a fair and equitable allocation of costs to developers and the public by:
    - Using best practices and a focus on sustainability, directing new development and key land uses to areas where they least result in land-use patterns that compromise long-term sustainability or jeopardize environmental and public health and safety; and
    - Ensuring necessary and sustainable infrastructure and public service facilities for the short and long-term.
- Accommodate an appropriate mix of land uses and public facilities, which promote healthy lifestyles such as physical activities, reduction of automobile dependency and more social interaction;
- Improve accessibility for all members of society;
- Encourage and promoting intensification and redevelopment opportunities to maximize the use of existing infrastructure and public service facilities, where

feasible, including the promotion of strategic alliances between complementary land uses;

- Promote employment opportunities and strategic alliances that enhance local skills, educational resources and the use of local goods and services; and

- Ensure the protection of Chatham-Kent's agricultural and natural heritage resources.

2.3.1 Structure Plan for Chatham-Kent

The Structure Plan delineates Chatham-Kent's plan for accommodating change and growth over the 20-year planning horizon (2011–2031). The Plan:

- identifies Primary Urban Centres where the majority of the projected population and employment growth will take place;

- identifies Secondary Urban Centres where population and employment growth will also take place;

- identifies 230 hectares of land within the Secondary Urban Centre Boundaries through a site-specific policy area that will serve as a "reserve supply" for potential future reallocation of development lands in Chatham-Kent, based on a set of policy criteria;

- identifies the system of greenlands that will be protected;

- identifies Hamlets and Rural Settlement Areas where developments by infilling will be permitted;

- identifies and protects Agricultural and Aggregate Resource Areas;

- identifies the network of major roads and piped services to accommodate the projected growth;

- identifies measures to conserve heritage resources; and

- identifies necessary human services.

2.3.2 History of Growth Management in Chatham-Kent

The following commentary reflects the approach undertaken by the Municipality to consider growth management options in Chatham-Kent.

The initial Strategic Environmental Assessment was undertaken to inform the development of the first Chatham-Kent Official Plan. It recommended a growth management strategy of focusing growth in the seven existing Primary Urban Centres (Chatham, Wallaceburg, Blenheim, Tilbury, Ridgetown, Dresden and Wheatley), while allowing for some limited infilling, rounding out or logical additions to established areas/growth nodes outside of the urban centres such as existing Secondary Urban Centres. Implementation should be through land-use designations with supporting policies and/or performance-based policies and criteria.

Building on the current Official Plan framework, two growth scenario options were selected and evaluated as part of the 2013 Comprehensive Official Plan Review. The evaluation was based on the analysis and findings of the various studies, plans and strategies that have been completed to date, supplemented with anecdotal information from various sources including municipal staff. Each option contained a separate category for residential and non-residential growth in Chatham-Kent. The options were viewed through a critical lens to make recommendations that will promote sustainable development and long-term fiscal health by focusing and directing growth to strategic areas where infrastructure is already available and little or no further public investment is required. This is done to ensure that the Municipality continues to realize a return on investment for those significant capital expenditures that have already been made with regard to infrastructure and public service facilities.

Specifically, the two growth scenario options were:

Growth Scenario Option 1 – Contain residential and non-residential development within Primary and Secondary Urban Centre Boundaries. No change would be made to current Settlement Area boundaries, but priority development areas would be identified within the current boundaries.

Growth Scenario Option 2 – Adjust or "rationalize" Settlement Area boundaries to include or exclude residential and non-residential development. This scenario builds off of Option 1 based on the land supply and demand analysis. The guiding principles are that any boundary expansions, adjustments or designation conversions would reflect logical growth patterns and not increase the overall net land supply across Chatham-Kent.

Based on the evaluation and the "zero-sum gain" concept of overall Settlement Area lands, while the Municipality is not obligated to reduce any one of its Settlement Areas, it can benefit from the reallocation of current urban designation to areas of higher demand and full municipal services. In particular, given the significant amount of vacant urban-designated lands within most of the Secondary Urban Centres, which experience a lower demand for development than most Primary Urban Centres, it was proposed that the reallocation of designation be sourced from these Centres. This would result in a scaling back of Secondary Urban Centre boundaries and the land-use designation would be

changed to "Agricultural" while maintaining a sufficient amount of land to accommodate growth within the 20-year planning horizon.

A total of approximately 230 hectares of land have been immediately identified within several of the Secondary Urban Centres as candidate lands for future reallocation (Bothwell, Charing Cross, Merlin, Mitchell's Bay and Thamesville). These lands were specifically identified because they are constrained in some fashion and currently zoned as either "D, Deferred Development" or "HL, Hazard Land." These zoning categories only permit agricultural and/or existing uses. It is also acknowledged that there is a significant oversupply of additional lands within most of the other Urban Centres as well. Given the current low demand for land across the Municipality and the fact that these lands are located within areas that are fully serviced, they have not been specifically identified for future reallocation at this time. In addition, many of these lands are within existing Secondary Plan Areas, Site Specific Policy Areas and/or have a current Draft Plan Approval on them. In the future, some of these lands may also be suitable for reallocation under subsequent reviews. However, areas with specific planning approvals should first be reviewed in further detail, in accordance with the applicable Planning Act procedures before any future reallocation is recommended.

The Phase 1 Growth Analysis indicates that 85% of Chatham-Kent's population growth over the next 20 years is forecast to occur within the Primary Urban Centres. It also shows that the current supply of residential land outpaces demand in the Primary Urban Centres for the next 20 years. Based on this current reality, three approaches were considered for the eventual reallocation of lands:

1) Full Reallocation: Where all lands would be reallocated to identified vacant areas predominantly near Chatham and/or the 401 corridor for employment-use purposes at some point in the future, thus resulting in an expanded Chatham Urban Centre or the establishment of a new Employment Area and/or expansion of an existing Employment Area. In addition, based on 71% of Chatham-Kent's future population growth being allocated to the community of Chatham, it is acknowledged that there are areas currently outside the Chatham Urban Centre Boundary suitable to accommodate residential development over the long term, as identified and reviewed in the Growth and Development Options (Option 2A Lands). However, given the current oversupply of approved residential units and residential greenfield lands within Chatham, reallocation is not recommended at this time. In addition, if all of the Option 2A Lands were to be included at this time for residential purposes, it would exceed the 230 ha reserve supply that has been identified, thus leaving no reserve supply for employment land purposes.

2) Partial Reallocation - Identify a lower number of areas to be reallocated to identified vacant areas predominantly near Chatham and/or the 401 corridor for employment-use purposes, while reserving a residual amount for future allocation based on established policy criteria being met.

3) Future reallocation – two options:

    i) Policy Land Bank (PLB) Method: reduce the Secondary Urban Centre Boundaries of Bothwell, Charing Cross, Merlin, Mitchell's Bay and Thamesville, and designate the identified surplus lands as "Agricultural" and "bank" the cumulative surplus land area in a "PLB for future

reallocation based on established policy criteria being met. The majority of the reserve supply would be held for employment land purposes to maintain greater flexibility.

ii) Site Specific Policy Area (SSPA) Method: recognize the areas for future reallocation as an SSPA without removing them from the urban designation or designating them Agricultural until the need arises and is implemented through the Official Plan Amendment process under the Planning Act. The majority of the reserve supply would be held for employment land purposes to maintain greater flexibility.

Future reallocation through the SSPA method was recommended as the preferred approach, for the followings reasons:

- This approach would maintain the rigour of sound planning practice, through the satisfaction of set planning criteria and the Official Plan Amendment process.
- This approach satisfies the future need to demonstrate that sufficient opportunities for growth are not available through intensification, redevelopment or within existing designated growth areas.
- With respect to residential lands, the approach allows time for the Municipality to review the significant inventory of draft-approved residential units within several of the Primary Urban Centres, particularly Chatham, that have existed for many years without action, before proceeding with designating any additional residential lands outside the existing Primary Urban Centre boundaries.
- For Employment Land used for employment purposes, the approach would provide flexibility and allow the Municipality the opportunity to further review and identify the best potential locations for future economic development opportunities without prematurely designating a site or sites at this time.

2.3.3 Growth Projections

In 2009, the long-term population, housing and employment growth forecast for the Municipality (Chatham-Kent Growth Analysis Study, 2006–2031) was completed. This analysis built on previous long-term growth forecast analyses previously carried out in 2003 and 2007. The results of this analysis were used to guide decision making and policy development specifically related to growth management, urban land needs, master plans and fiscal planning, all of which require a comprehensive assessment of long-term population and employment growth. This revised growth forecast is also used as a basis to allocate population, housing and employment growth by settlement area. Subsequently, the 2012 Phase 1 Analysis for the Comprehensive Official Plan Review updated the 2009 Chatham-Kent Growth Analysis Study in accordance with the results of the 2011 Census.

Incremental population and housing growth from 2011 to 2031 remains unchanged from the 2009 Chatham-Kent Growth Analysis Study. By 2031, Chatham-Kent's population is forecast to increase modestly from 108,240 in 2011 to 112,500 in 2031, which represents an increase of approximately 4,200 persons over the 20-year forecast period. The population forecast is premised on an average housing growth rate of approximately 188 new units per year. While population growth is forecast at 0.2% per year, housing growth

is forecast at 0.4%. This illustrates that housing growth is outpacing population growth, thus resulting in a reduction of the persons per unit forecast over the planning horizon.

Table 2.1
Municipality of Chatham-Kent
Residential Growth Forecast Summary

Year	Population (Excluding Census Undercount)	Population (Including Census Undercount)	Total Housing Units	Persons Per Unit[1] (PPU)
Mid-1991	109,940	114,340	39,940	2.75
Mid-1996	109,650	114,040	41,315	2.65
Mid-2001	107,710	112,020	42,090	2.56
Mid-2006	108,590	112,930	43,665	2.49
Mid-2011	104,070	108,240	42,990	2.42
Mid-2016	105,250	109,460	43,975	2.39
Mid-2021	106,330	110,580	45,050	2.36
Mid-2026	107,440	111,730	45,950	2.34
Mid-2031	108,170	112,500	46,750	2.31
Mid-1991–Mid-1996	-290	-300	1,375	
Mid-1996–Mid-2001	-1,940	-2,020	775	
Mid 2001 – Mid 2006	880	910	1,575	
Mid 2006 – Mid 2011	-4,520	-4,690	-675	
Mid 2011 – Mid 2016	1,180	1,220	985	
Mid 2011 – Mid 2021	2,260	2,340	2,060	
Mid 2011 – Mid 2026	3,370	3,490	2,960	
Mid 2011 – Mid 2031	4,100	4,260	3,760	

Source: Watson & Associates Economists Ltd. 2012

1. *Persons per unit forecast derived from total population (excluding net Census undercount) divided by total housing units.*

Note: All figures have been rounded.
Census undercount: The Census undercount is the net number of persons missed in the base population during Census enumeration. The net Census undercount typically ranges between 3 to 4%.

It is projected that employment in Chatham-Kent will generate an additional 2,725 jobs over the 20-year period (2011–2031). Further details on employment growth forecasts are provided in Section 3, Economy.

It shall be the objective of Chatham-Kent to:

2.3.3.1 Maintain a level of population growth that is sustainable within the context of the Municipality's physical, social, economic and environmental resources.

It shall be the policy of Chatham-Kent that:

2.3.3.2.1 The Municipality shall have a 20-year (2011–2031) population target of 112,500 persons.

2.3.3.2.2 The population target shall be reviewed in conjunction with the next five-year Official Plan Review.

2.3.3.2.3 The population target shall be used when assessing the anticipated demand on municipal services and infrastructure.

2.3.3.2.4 The population target will be monitored and the Official Plan amended, as needed, to achieve the target.

2.3.4 Housing

Residential Supply

The Phase 1 Analysis for Official Plan Comprehensive Review Analysis undertook a detailed review of Chatham-Kent's residential land supply. The following key observations were made regarding the Municipality's potential supply inventory for new housing:

- As of May 2011, Chatham-Kent's total potential urban supply inventory for new housing units was approximately 10,070;
- Of this total supply, Chatham-Kent can potentially accommodate a total of 4,574 housing units (45% of the total housing supply inventory) within registered unbuilt plans of subdivision/condominium and draft-approved plans (units in the development approvals process);
- The Municipality's remaining vacant designated lands (greenfield lands) can potentially accommodate 4,296 housing units (43% of total supply);
- A total of 1,200 housing units (approximately 12% of the current supply) can be potentially accommodated through various forms of intensification, which means the development of a property, site or area at a higher density than currently exists through redevelopment (including the reuse of brownfield sites); the development of vacant and/or underutilized lots; infill development; and the expansion or conversion of existing buildings;
- Nearly three-quarters of the total housing supply potential (7,524 units) is in the form of low-density units, compared to 17% for medium density and 9% for high density;
- Of the total municipal housing inventory, 16% is located within built boundaries, while 84% is located outside of built boundaries; and
- Housing supply potential is largest in Chatham, accounting for 60% of the municipal total. This is followed by 14% in Wallaceburg, 7% in Wheatley, 5% in Blenheim, 5% in Tilbury, 5% in Ridgetown and 3% in Dresden. The Secondary Urban Centres combined account for about 1% of the municipal total.

- Within the Rural Area (Suburban Residential, Hamlets, Rural Settlement Areas, Estate Residential and Recreational Residential) residential supply opportunities are primarily limited to remaining infill lots, of which the majority are less than 0.4 ha (1 acre) in size.

Table 2.2
Municipality of Chatham-Kent
Total Potential Housing Supply within the Urban Centres

Housing Supply	Housing Type				% of Urban Centre Total
	Low-Density	Medium-Density	High-Density	Total	
Within Built Boundary					
Units in Development Approvals Process	359	44	0	403	4%
Redevelopment Opportunities	17	128	179	324	3%
Infill opportunities (0.4 Ha or less lots)	323	0	0	323	3%
Infill opportunities (greater than 0.4 ha lots)	218	119	216	553	5%
Total Within Built Boundary	**917**	**291**	**395**	**1,603**	**16%**
Outside Built Boundary					
Units in Development Approvals Process	**3,247**	**638**	**286**	**4,171**	**41%**
Greenfield Lands	**3,360**	**734**	**202**	**4,296**	**43%**
Total Outside Built Boundary	**6,607**	**1,372**	**488**	**8,467**	**84%**
Urban Centre Total	**7,524**	**1,663**	**883**	**10,070**	**100%**

Source: Watson & Associates Economists Ltd. Derived from Chatham-Kent Community Development and Planning Services, 2011.

Housing Demand

Based on the Phase 1 Analysis for the Comprehensive Official Plan Review, the demand for housing in Chatham-Kent over the next 20 years (2011–2031) is projected to be for ±3,760 dwelling units, of which approximately 65% are forecast to be low-density housing (single and semi-detached homes and "other" detached homes, per Statistics Canada), 25% medium-density housing (includes all townhomes and apartments in duplexes) and 10% high-density (includes all apartments with less than or greater than five storeys).

Over the next 20 years, it is projected that the children and youth (0–18 years) cohort will decrease slightly from 22.8% to 21.8%. The percentage of adults (19–54) is also forecast to gradually decline from 47.8% to 42.1%, while the percentages of empty-nesters and seniors (55–74) and older seniors (75+) are forecast to increase considerably over the forecast period, from 21.4% to 23.7% and from 7.9% to 12.5%, respectively.

The residential growth allocation has been informed by an analysis of residential supply

opportunities against a review of anticipated market demand for new housing. While all of the Primary and Secondary Urban Centres are forecast to experience some level of new housing construction over the next 20 years, not all of these areas will experience positive population growth.

- Approximately 82% of the municipal-wide housing forecast (3,090 new housing units) has been allocated to the Primary and Secondary Urban Centres, while the remaining 18% (680 new housing units) has been allocated to the rural and agricultural areas.
- The municipal-wide annual housing growth rate is approximately 0.4%, which represents a modest growth rate in comparison with the provincial average, but slightly above historical trends.

For Urban Centres with low housing growth potential, population growth is expected to be flat or even slightly negative as a result of declining average household sizes due to the aging of the population.

- Similar to the housing forecast, approximately 88% (3,600 persons) of the municipal-wide population forecast has been allocated to the Primary and Secondary Urban Centres, while the remaining 12% (500 persons) has been allocated to the rural and agricultural areas.
- Approximately 71% of the municipal-wide population forecast has been allocated to Chatham, while a total of 14% of population growth has been allocated to the remaining Primary Urban Centres outside of Chatham;
- Minimal population growth (approximately 2% of the municipal total) is forecast for the Secondary Urban Centres;
- The municipal-wide annual population growth rate is approximately 0.2%, which represents a modest growth rate in comparison with the provincial average; and
- Annual population growth rates are forecast to be strongest in Chatham, Blenheim and Tilbury.

There are a number of opportunities associated with increasing the proportion of development within the built boundaries of the Urban Centres. Generally, many of these sites are serviced (or serviceable) with municipal water and sewer, offer good access to other hard infrastructure such as roads, indoor and outdoor recreation facilities and other public service facilities, and they are within proximity to downtown areas that offer employment opportunities, shopping and entertainment. On the other hand, there are often challenges that can be associated with intensification, such as existing infrastructure capacity, market demand, available policy tools and public perception.

The demographic and socioeconomic analysis identifies a number of trends that support a gradual shift from low-density to medium- and high-density housing over the next 20 years. A significant portion of new residents coming to Chatham-Kent will be in the 55+ age group. A large number of these residents will be seeking both ground-oriented housing (i.e., low and medium density), and to a lesser extent, high-density housing with proximity to amenities and services. In addition, as existing residents within the Municipality continue to age, demand will continue for new forms of low-, medium- and high-density

housing, ranging from traditional single-detached units and townhomes to apartments (including assisted living centres and senior complexes) within the built boundaries of the Urban Centres, which suggests that the demand for residential intensification will gradually increase over the next 20 years.

In addition, in 2006 the Municipality completed its first Housing Needs Assessment and Strategy and a Housing Study Update Report in 2012 to address new policy changes at the provincial level that impact housing across Ontario. As part of the Housing Study Update, the following housing vision for Chatham-Kent has been adopted:

> *To provide residents of Chatham-Kent with a full range of housing choices that meet their diverse needs and promote a community of collaboration, acceptance, and pride. This range of housing includes accessible, affordable, safe and supportive housing.*

In support of the housing vision, six housing objectives have been identified:

- Plan for a diverse range of housing choices. A range of housing choices are needed to accommodate the diversity of residents within the Municipality. A diverse range of housing means the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture, a range of physical and mental disabilities, and can respond to fluctuations in these needs (i.e., economic downtown, family crisis).
- Improve and maintain the existing housing supply. Chatham-Kent has an older housing stock. Often an aging housing stock can result in high maintenance and operating costs due to the lack of energy efficient designs and deterioration of a unit. Such increasing costs can create affordability challenges, especially for individuals and families on fixed incomes. In an area where there are high vacancy rates in the rental housing market, maintaining and improving the existing stock can help meet affordable housing needs without the high costs of new development.
- Increase the supply of affordable housing. There is a gap in meeting the housing needs of individuals and families in the lower income ranges. Many households are spending more than 30% of their income on housing, putting them at risk of losing their homes. Waiting lists for social housing, caseloads and persons who receive social assistance are increasing. There continues to be a strong need in the area to increase the supply of affordable housing.
- Ensure the availability of emergency and transitional housing options for residents. Meeting the housing needs of all residents includes being able to respond to individuals and families in times of crisis or in times of transition.
- Promote an expanding range of housing support services (in urban and rural areas). A range of support services are needed for a safe, healthy and high-quality lifestyle for residents. In addition, such supports can help residents maintain their home for longer and stay in their community and close to support from family and friends.
- Promote, educate and create awareness of housing needs in Chatham-Kent. The Municipality has an important role in educating community stakeholders in housing issues and in creating greater awareness to ensure an understanding and tolerant community. In addition to providing education and awareness to residents and

community groups within Chatham-Kent, the Municipality has an important role in promoting the housing needs of Chatham-Kent residents to senior levels of government and other agencies to ensure collaboration in responding to housing needs.

It shall be the objective of Chatham-Kent to:

2.3.4.1.1 Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture and a range of physical and mental disabilities, and that the housing stock can respond to fluctuations in these needs.

2.3.4.1.2 Improve and maintain the existing housing supply.

2.3.4.1.3 Increase the supply of affordable housing.

2.3.4.1.4 Ensure the availability of emergency and transitional housing options for residents.

2.3.4.1.5 Promote an expanding range of housing support services (in urban and rural areas).

2.3.4.1.6 Promote, educate and create awareness of housing needs in Chatham-Kent.

It shall be the policy of Chatham-Kent that:

2.3.4.2.1 The 20-year (2011–2031) housing target of the Municipality shall be ±3,760 dwelling units.

2.3.4.2.2 The Municipality shall encourage a housing mix of 65% low-density dwellings (a maximum of 25 dwelling units per net residential hectare), 25% medium-density dwellings (a maximum of 75 dwellings units per net residential hectare) and 10% high-density dwellings (a maximum of 150 dwelling units per net residential hectare) over the 20-year time horizon (2011–2031).

2.3.4.2.3 The Municipality shall encourage the provision of a diverse range of housing choices to meet the projected demographic and market requirements of current and future residents of Chatham-Kent by:

a) Maintaining a minimum 10-year supply of land to accommodate residential growth through intensification and infill development and land designated for residential development within each of the Primary Urban Centres;

b) Maintaining a minimum 3-year supply of residential units in draft-approved or registered plans and lands that are appropriately

zoned in the Zoning By-law for residential intensification within each Primary and Secondary Urban Centre;

c) Encouraging housing types, densities and tenures that are affordable;

d) Establishing cost-effective development standards for new residential development and redevelopment.

2.3.4.2.4 A portion of Chatham-Kent's housing supply will be accommodated through residential intensification. The Municipality has established a residential intensification target of 10% within the built-up portions of the Primary and Secondary Urban Centres. Residential intensification may include any of the following:

a) Small-scale intensification by modifying an existing dwelling to include a second residential dwelling unit;

b) Residential infill development of vacant or underutilized land in existing neighbourhoods; and

c) Redevelopment through the replacement of existing residential uses with compatible new residential developments at a higher density or the replacement of non-residential uses with compatible residential or a residential mixed-use development.

2.3.4.2.5 The Municipality will consider applications for infill development, intensification and redevelopment of sites and buildings, including brownfield or former institutional sites, through intensification based on the following considerations:

a) The proposed development is within an urban area and is appropriately suited for intensification in the context of the specific community;

b) Intensification will be permitted in all areas designated for urban residential use or residential mixed-use, provided that the development is consistent with the policies of the appropriate land-use designation associated with the land and in compliance with the general intent and purpose of the Zoning By-law;

c) The existing water and sanitary sewage services can accommodate the additional development;

d) The road network can accommodate the additional traffic;

e) The required parking can be accommodated; and

f) The proposed development is compatible with the existing development standards and physical character of the adjacent properties and the surrounding area. Specifically, intensification proposals should:

i) respect and reinforce the existing physical characteristics of buildings, streetscapes and open space areas within an existing neighbourhood, including heights, massing and scale of proposed buildings;

ii) provide adequate privacy, sunlight and sky views for existing and new residents;

iii) screen any loading or service areas from adjacent properties for proposed developments that require such aspects.

2.3.4.2.6 The provision of housing stock that is affordable and accessible to lower income residents will be a priority. To support this objective, the Municipality has established the following targets related to affordable housing:

a) 25% affordable housing, including 2% for supportive housing; and

b) 5% accessible housing, fully modified to meet Chatham-Kent Facility Accessibility Design (FAD) requirements.

2.3.4.2.7 The following definitions related to housing would apply:

a) Affordable rental housing is housing where monthly rental costs (excluding utilities) do not exceed 30% of the tenant's gross monthly income and is rented at or below the average market rent for a rental unit in Chatham-Kent;

b) Affordable ownership housing is housing where monthly housing expenses (including mortgage principle, interest and property tax but excluding insurance or utilities expense) do not exceed 30% of gross monthly household income and where the purchase price is at least 10% below the average purchase price of a home in Chatham-Kent;

c) Supportive housing is housing for persons with disabilities (mental, physical, and/or developmental disabilities) and/or seniors;

d) Accessible housing refers to units/dwellings that would meet the requirements of the FAD.

2.3.4.2.8 The Municipality shall encourage the provision of affordable housing through:

a) Supporting increased residential densities in appropriate locations, a full range of housing choices, adequate land supply and redevelopment and residential intensification, including additional units in existing dwellings, where practical and feasible;

b) Supporting a variety of building forms to meet the housing needs of a socially and economically diverse population in support of a broad range of employment opportunities;

c) Supporting the reduction of housing costs by streamlining the development approvals process while maintaining sound planning practices;

d) Negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the planning approvals process; and

e) Considering innovative and alternative residential development standards that facilitate affordable housing and a more compact development form.

2.3.4.2.9 The Municipality may pass a Municipal Housing Facility by-law to implement affordable housing as a community facility under the provision of the Municipal Act and:

a) enter into capital facility agreements for affordable housing with both private and non-profit companies;

b) use property tax exemptions to encourage the construction of affordable housing; and

c) enter into public/private partnerships for the provision of new affordable housing.

2.3.4.2.10 The Municipality will actively discourage the conversion of affordable housing rental stock to freehold tenure, if such conversion results in a reduction in the amount of rental housing available to an unacceptable level based on the targets set forth in Section 2.3.4.2.6.

2.3.4.2.11 The Municipality will review and revise its Zoning By-law to ensure that the provisions are sufficiently flexible to permit a broad and varied range of housing choices, except in locations serviced by individual or communal sewage disposal systems.

2.3.4.2.12 The Municipality will first consider surplus municipal land for affordable housing and work with other levels of government to make surplus land available to providers of affordable housing at little or no extra cost.

2.3.4.2.13 The Municipality recognizes the value of older residential neighbourhoods and supports measures dedicated to the rejuvenation and maintenance of these neighbourhoods through government programs and partnerships with property owners.

2.3.4.2.14 The Municipality will encourage the development of low-income housing geared toward seniors, which may include lower maintenance housing types.

2.3.4.2.15 The Municipality will improve access to housing for those people with special needs, including assisted housing for low-income people and seniors and various forms of supportive housing, including group homes and emergency/transitional housing, subject to the following:

a) The Municipality will work with and support community agencies and other local groups to monitor the extent of special housing needs and to pursue additional funding from the senior levels of government to address the identified needs;

b) Group homes are defined as a single housekeeping unit in a residential dwelling in which five to ten residents (excluding staff) live as a unit under responsible supervision. The home is licensed or approved under provincial statute. Group homes will not be concentrated in one specific area and will be located in Primary and Secondary Urban Centres;

c) Zoning By-law provisions will address the separation distances, spatial location, number, type and size of group homes to prevent an undue concentration of group homes. Legally established existing facilities that do not comply with the requirements of the Zoning By-law will be allowed to continue, but will not be permitted to expand without a minor variance or zoning by-law amendment. Group homes with any correctional purpose will be treated as an institutional use and not a residential use by this Plan and the Zoning By-law, and any proposal for such use will require an Amendment to this Plan and the Zoning By-law.

d) For new special needs housing proposals, the Municipality will be satisfied that:

i) traffic generated from the facility can be adequately accommodated by the local road network and will not have a significant impact on adjacent land uses;

ii) the facility is of a design that maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding area and immediate neighbourhood;

iii) the facility conforms to the provisions of the Zoning By-law, including sufficient onsite parking to meet the needs of the residents, support staff and visitors; and

iv) a licence has been granted by the appropriate senior government agency, where applicable.

2.3.4.2.16 Long-term care facilities that meet the needs of the Municipality shall be encouraged.

2.3.4.2.17 Aging-in-place for seniors will be encouraged so that:

a) Individuals living in a non-healthcare environment will have access to municipal services and amenities so that they may carry out their daily lives without having to relocate as their circumstances change; and

b) Where the above is not suitable due to the physical or mental condition of the individual, independent living, assisted living and skilled nursing are available in residences for seniors, such as in a continuing care retirement community.

2.3.4.2.18 An accessory residential dwelling unit will be defined as a separate and complete dwelling unit that is contained within the structure of a single detached residential dwelling, semi-detached dwelling or townhouse dwelling; or as a separate and complete dwelling unit contained within a building or structure ancillary to a single detached residential dwelling, semi-detached residential dwelling or townhouse dwelling. Where permitted by the policies of this Plan, the following applies to the development of accessory residential dwellings:

a) A maximum of one accessory residential dwelling unit will be permitted per lot, in Primary and Secondary Urban Centres where municipal water, sanitary and storm sewer services are available. Where another special housing form, including a garden suite or mobile home exists on the lot, an accessory residential dwelling unit will not be permitted;

b) An accessory dwelling unit will be permitted in Primary and Secondary Urban Centres where municipal water, sanitary and storm sewer services are available.

c) The Zoning By-law shall establish the zones within which accessory residential uses may be permitted and shall include provisions to regulate those uses;

d) The accessory residential dwelling unit can be appropriately serviced in accordance with the policies of this Plan;

e) The accessory dwelling unit is incidental to the main permitted residential use and shall not change the general characteristics of the main residential structure; and

f) The accessory dwelling unit will comply with the Ontario Building Code, the Fire Code and all other relevant municipal and provincial standards.

2.3.4.2.19 A garden suite is a one-unit detached residential structure containing bathroom and kitchen facilities that is secondary to an existing residential structure and that is designed to be portable. The following policies apply to the development of a garden suite:

a) By way of a Temporary Use By-law, a garden suite may be permitted on a lot within the Agricultural area, subject to the following:

i) There is a justified need for temporary accommodation in a detached residential structure that is located close to the principal residential dwelling unit;

ii) The Temporary Use By-law will contain regulations to control the use, and the use will only be permitted for a limited period of time, as prescribed in the Temporary Use By-law, but not exceeding 20 years, pursuant to the Planning Act;

iii) The garden suite can be appropriately serviced in compliance with the policies of this Plan and the requirements of the zoning by-law;

iv) The Minimum Distance Separation (MDS I) requirements shall apply in determining a location for a proposed garden suite;

v) A garden suite must meet the requirements of the Ontario Building Code;

vi) The garden suite must be removed upon expiration of the time prescribed in the Temporary Use By-law; and

vii) Prior to approving the Temporary Use By-law, the Municipality shall require that an agreement be entered into with the Municipality dealing with matters related to the garden suite as Council considers necessary or advisable.

2.3.4.2.20 The fulfillment of Chatham-Kent's housing targets is dependent on the housing market. The Municipality shall encourage the development industry to deliver a balance of housing to meet the demonstrated need in Chatham-Kent. Housing, the housing mix and the number of units in the development approval process shall be monitored and reported on regularly in accordance with Section 6.5 of this Plan.

2.3.5 Community Structure

The community structure of Chatham-Kent comprises an urban component and a rural component. The urban component includes Primary Urban Centres, Secondary Urban Centres, Suburban Residential, Hamlets and Rural Settlement areas. The Rural component includes Agricultural, Estate Residential, Recreational Residential, Recreational, Rural Industrial, Highway Commercial Areas and Aggregate Resource areas.

It is a goal of the Official Plan to guide the majority of growth to occur within the Urban Centre boundaries to ensure that the Municipality develops in a compact, orderly and sustainable manner within its ability to fund and support a full range of uses, infrastructure and social services, which will lead to Chatham-Kent's long-term financial well-being. The Primary Urban Centres are the focal points where residential, commercial and industrial development will be directed in Chatham-Kent. Healthy communities incorporate principles of safety, accessibility, diversity, self-sufficiency and choice for all residents. Healthy communities in Chatham-Kent foster a thriving economy, protect and enhance their natural surroundings and celebrate their diverse heritage. The majority of new population and employment growth in Chatham-Kent will be directed to the Primary Urban Centres. Some new population and employment growth will also take place in the Secondary Urban Centres, which are served by full municipal services. Growth in Hamlets that are serviced by municipal piped water supply and private sanitary sewage will be through infilling and/or rounding out of the existing development areas. In the privately serviced Rural Settlement Areas, development will be limited to minor infilling.

It shall be the objective of Chatham-Kent to:

2.3.5.1 Promote the development of safe and healthy communities that are accessible, diverse, economically thriving, environmentally sustainable and offer choices to all residents.

It shall be the policy of Chatham-Kent that:

2.3.5.2.1 The majority of new population and employment growth shall be directed to the Primary Urban Centres, as designated on Schedule "E" Series – Land Use to this Official Plan.

2.3.5.2.2 Population and employment growth shall also be permitted in the Secondary Urban Centres, as designated on Schedule "A" Series – Land Use to this Official Plan.

2.3.5.2.3 Population and employment growth in the Hamlet Areas, as designated on Schedule "A" Series – Land Use to this Official Plan, shall be based on the adequacy of water supply and sanitary sewage disposal to accommodate the proposed development.

2.3.5.2.4 Development in the Suburban Residential Areas shall be limited to infilling, pending full municipal services being made available.

2.3.5.2.5 Development in the privately serviced Rural Settlement Areas shall be limited to minor infilling.

2.3.5.2.6 Urban development within Chatham-Kent, including intensification opportunities, will be encouraged to locate in fully serviced areas such as within the Primary and Secondary Urban Centre boundaries, and:

a) Will occur in a planned, orderly, efficient and sustainable manner;

b) Will be in keeping with the available capacity of the infrastructure and public service facilities present to serve the development. Before any new infrastructure or public service facilities are constructed to service new development, consideration will be given to:

i) The optimization of the use of existing infrastructure and public service facilities with the view to maximize the Municipality's return on its investment;

ii) The Municipality's fiscal capability to sustainably service the development over the long term;

iii) The use of green, environmentally friendly and sustainable infrastructure; and alternatives;

iv) The presence of development interests, within the area to be serviced, who show intent to develop within a period of three years from the date of final approval.

2.3.5.2.7 The Municipality will establish a development review process to be implemented at regular intervals coincident and complementary to the review and update of the Official Plan which will occur at no less than five-year intervals, in accordance with the policies of Section 6.5 of this Plan.

2.3.6 Primary Urban Centres

The Municipality is comprised of seven Primary Urban Centres, which contain the majority of Chatham-Kent's residential, commercial, industrial and institutional development. They have full municipal services and have populations greater than 1,500 as shown on the following table:

Table 2.3
Municipality of Chatham-Kent
Chatham-Kent Population in the Primary Urban Centres (2011)

Urban Centre	Population
Chatham	45,100
Wallaceburg	10,200
Blenheim	4,800
Tilbury	4,700
Ridgetown	3,100
Wheatley	3,000
Dresden	2,500

Source: Watson & Associates Economists Ltd., 2012

The Primary Urban Centres are the focal points for growth and public and private sector investment in Chatham-Kent. They will have the highest concentration and intensity of uses in the Municipality, and will be the focus of residential, commercial, industrial, government, institutional, business/professional office, entertainment, cultural heritage and health/social services activities.

Chatham-Kent is projected to grow by approximately 4,100 people over the next 20 years (2011–2031). It is forecast that the majority of this population growth (70.7%) will occur in Chatham; 14.7% in the remaining Primary Centres; 2.4% in the Secondary Urban Centres and 12.2% in the remaining rural areas.

Table 2.4
Municipality of Chatham-Kent
Allocation of Population, 2011–2031

Urban Centre	Total Population		2011–2031 Population Growth	% Population Growth Allocation	Annual Population Growth Rate
	2011	2031			
Blenheim	4,800	5,000	200	4.9%	0.2%
Chatham	45,100	48,000	2,900	70.7%	0.3%
Dresden	2,500	2,600	100	2.4%	0.2%
Ridgetown	3,100	3,200	100	2.4%	0.1%
Tilbury	4,700	5,000	300	7.3%	0.3%
Wallaceburg	10,200	10,200	-	0.0%	0.0%
Wheatley	3,000	3,000	-	0.0%	0.0%
Total Primary Urban Centres	**73,500**	**76,900**	**3,500**	**85.4%**	**0.2%**
Bothwell	900	900	-	0.0%	0.0%
Thamesville	900	900	-	0.0%	-0.2%
Charing Cross	400	400	-	0.0%	0.1%
Merlin	600	600	-	0.0%	-0.1%
Mitchell's Bay	300	400	100	2.4%	1.3%
Pain Court	600	600	-	0.0%	0.2%
Total Secondary Urban Centres	**3,600**	**3,700**	**100**	**2.4%**	**0.1%**
Rural Areas	**27,000**	**27,500**	**500**	**12.2%**	**0.1%**
Chatham-Kent	**104,100**	**108,200**	**4,100**	**100.0%**	**0.2%**

Source: Watson & Associates Economists, 2012
Note: Numbers may not add precisely due to rounding

Chatham-Kent is projected to add approximately 3,760 households over the next 20 years (2011–2031). It is forecast that the majority of this household growth (58%) will occur in Chatham; 21.3% in the remaining Primary Centres; 2.9% in the Secondary Urban Centres and 18.1% in the remaining rural areas.

Table 2.5
Municipality of Chatham-Kent
Allocation of Households, 2011–2031

Urban Centre	Total Households		2011–2031 Household Growth	% Household Growth Allocation	Annual Household Growth Rate
	2011	**2031**			
Blenheim	1,950	2,100	150	4.0%	0.4%
Chatham	19,050	21,230	2,180	58.0%	0.5%
Dresden	1,020	1,110	90	2.4%	0.4%
Ridgetown	1,350	1,450	100	2.7%	0.3%
Tilbury	1,840	2,050	210	5.6%	0.5%
Wallaceburg	4,460	4,660	200	5.3%	0.2%
Wheatley	1,080	1,140	60	1.6%	0.2%
Total Primary Urban Centres	**30,750**	**33,730**	**2,980**	**79.3%**	**0.5%**
Bothwell	400	420	20	0.5%	0.2%
Thamesville	380	390	10	0.3%	0.1%
Charing Cross	150	160	10	0.3%	0.3%
Merlin	220	230	10	0.3%	0.2%
Mitchell's Bay	130	170	40	1.1%	1.2%
Pain Court	210	230	20	0.5%	0.5%
Total Secondary Urban Centres	**1,490**	**1,590**	**110**	**2.9%**	**0.3%**
Rural Areas	**10,750**	**11,430**	**680**	**18.1%**	**0.3%**
Chatham-Kent	**42,990**	**46,750**	**3,760**	**100.0%**	**0.4%**

Source: Watson & Associates Economists, 2012
Note: Numbers may not add precisely due to rounding

Table 2.6
Municipality of Chatham-Kent
Allocation of Employment, 2011–2031

Urban Centre	Total Employment		2011–2031 Employment Growth	% Employment Growth Allocation	Annual Employment Growth Rate
	2011	2031			
Blenheim	2,110	2,190	80	2.9%	0.2%
Chatham	20,230	21,680	1,450	53.1%	0.3%
Dresden	1,410	1,460	50	1.8%	0.2%
Ridgetown	1,810	1,840	30	1.1%	0.1%
Tilbury	2,140	2,290	150	5.5%	0.4%
Wallaceburg	3,960	3,970	10	0.4%	0.0%
Wheatley	1,660	1,660	-	0.0%	0.0%
Total Primary Urban Centres	**33,320**	**35,090**	**1,770**	**64.8%**	**0.3%**
Bothwell	470	470	-	0.0%	0.0%
Thamesville	210	200	(10)	-0.4%	-0.3%
Charing Cross	240	240	-	0.0%	0.0%
Merlin	480	490	10	0.4%	0.0%
Mitchell's Bay	190	230	40	1.5%	1.0%
Pain Court	370	390	20	0.7%	0.2%
Total Secondary Urban Centres	**1,960**	**2,020**	**60**	**2.2%**	**0.1%**
Bloomfield Business Park	**100**	**600**	**500**	**18.3%**	**9.4%**
Rural Areas	**9,180**	**9,570**	**390**	**14.3%**	**0.2%**
Chatham-Kent	**44,540**	**47,270**	**2,730**	**100.0%**	**0.3%**

Source: Watson & Associates Economists, 2012
Note: Numbers may not add precisely due to rounding

In terms of employment growth, it is forecast that 71.4% of the growth will occur in the Chatham and Bloomfield Business Park areas; 11.7% in the remaining Primary Centres; 2.2% in the Secondary Urban Centres and 14.3% in the remaining rural areas.

In conclusion, with respect to residential need, existing approvals currently outpace the forecasted demand over the planning horizon. In terms of employment land needs, while the current total land supply is sufficient from a municipal-wide perspective, it is not allocated proportionately, and there are strategic areas where a shortfall is forecast over the planning horizon. Lands without specific designation in the Secondary Urban Centres represent a significant oversupply, given the low demand that has been identified for these communities. A significant amount of these lands have been identified as candidate lands for future reallocation to areas of higher demand, predominantly for employment uses.

It shall be the objective of Chatham-Kent to:

2.3.6.1 Promote Primary Urban Centres as the major focal points for growth and public and private sector investment in the Municipality.

It shall be the policy of Chatham-Kent that:

2.3.6.2.1 The urban area boundaries of the designated Primary Urban Centres shall be delineated on Schedules "A" and "E" Series – Land Use to this Official Plan.

2.3.6.2.2 Opportunities for major residential, commercial and industrial development shall be directed to the Primary Urban Centres where full municipal services are available.

2.3.6.2.3 Primary Urban Centres shall have the highest concentration and intensity of uses in the Municipality, and shall be the focus of residential, commercial, industrial, government, institutional, business/professional office, entertainment, cultural heritage and health/social service activities.

2.3.6.2.4 Intensification, infill and/or development/redevelopment of vacant designated, brownfield, former institutional or underutilized sites and areas in transition in the Primary Urban Centres will be encouraged.

2.3.6.2.5 Development in the Primary Urban Centres shall be based on the efficient provision of water supply, sanitary sewerage, roads, parks, schools and other municipal services.

2.3.6.2.6 The Municipality will address the supply of land designated for development over time to appropriately balance land needs with supply. Proposed expansions to the designated urban boundaries of Primary Urban Centres will be reviewed under the policies of Section 2.3.6.2.13 or Section 6.3.3.10 of this Plan and the Provincial Policy Statement.

2.3.6.2.7 Proposed development shall conform with the Part B Urban Centre Plan and the general policies in Part A of this Official Plan.

2.3.6.2.8 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.6.2.9 Lands planned for various land uses within designated Primary Urban Centres will be appropriately designated on the Land Use Schedule for the applicable Primary Urban Centre. Those Land Use Schedules will be read in conjunction with their respective planning policies in the Part B Urban Centre Plan, as well as the general policies in Part A of this Official Plan.

2.3.6.2.10 The delineation of specific areas for various land uses in the Primary Urban Centre designation shall be established through the implementing Zoning By-law for the particular Primary Urban Centre.

2.3.6.2.11 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the applicable Primary Urban Centre.

2.3.6.2.12 The policies of Section 7.1.2.2.1 of the Sustainable Shoreline Secondary Plan shall also apply to the Primary Urban Centres located within the Sustainable Shoreline Secondary Plan Area.

2.3.6.2.13 The 2013 Comprehensive Official Plan Review led to the identification of various parcels of land totalling 230 ha in several Secondary Urban Centres throughout Chatham-Kent, which are recognized under Section 2.3.7.2.14 as "Site Specific Policy Area 2.3.7.2.14.1." This cumulative amount is reserved for potential future urban land use reallocation to accommodate the projected needs over the identified planning horizon in appropriate locations. Since a Comprehensive Official Plan Review has been carried out, any reallocation of the reserve supply is subject to an updated comprehensive review, of which the level of detail of the assessment should correspond with the complexity and scale of the proposal. A proposal under this policy will address the following:

a) Despite the policies of Sections 6.3.3.10.4.2 and 6.3.3.10.4.4 in this Plan, the majority of the reserve supply shall be set aside for employment land uses, as set out and defined in Section B.2.4, of which a minimum of 80 ha must be set aside for one contiguous site and subject to the following criteria:

i) Be in keeping with the economic development policies outlined in Section 3 to ensure that the lands are allocated to the most strategic areas for economic opportunity and that the proposed use(s) and/or opportunity(ies) cannot be accommodated within existing areas designated for employment uses;

ii) Be a logical expansion of an existing Urban Centre or the establishment of a new Employment Area and/or expansion of an existing Employment Area, which will be provided with full municipal water and wastewater services and stormwater management;

iii) Ensure that suitable public facilities are available, or can be provided to accommodate the area;

iv) Be strategically located to accommodate the transportation needs of the proposed uses;

v) Shall not negatively impact natural heritage features and areas of their ecological functions, and should take into consideration the natural hazard constraints;

vi) Shall not negatively impact cultural heritage resources;

vii) Not comprise specialty crop areas, and if agricultural lands are to be included, it must be demonstrated that there are no reasonable alternatives that avoid prime agricultural areas and no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;

viii) Have regard for the appropriate separation of incompatible land uses;

ix) Satisfy the Minimum Distance Separation Formulae, and impacts on agricultural areas are mitigated to the extent feasible;

x) A Financial Impact Analysis should be completed in accordance with Sections 2.4.10 and 6.6 of this Plan to determine the Municipality's capability, financial and otherwise, to sustainably service the proposed development;

xi) Be subject to the policies of Section B.2.4 of this Plan.

xii) An Official Plan Amendment in accordance with the policies of Section 6.3 of this Plan. The lands identified in "Site Specific Policy Area 2.3.7.2.14.1" are predominantly used for agricultural purposes, considered Prime Agricultural Lands and classified as either Class 2 or Class 3 under the Canada Land Inventory Agricultural Capability mapping. When considering an Official Plan Amendment for reallocation, the reserve supply must be reduced equal to the amount of land being reallocated by amending the Official Plan to reduce the applicable Secondary Urban Centre Boundary and the lands being removed from "SSPA 2.3.7.2.14.1" shall be designated as Agricultural lands.

b) Despite the policies of Sections 6.3.3.10.4.2 and 6.3.3.10.4.4 in this Plan, and based on 71% of Chatham-Kent's future population growth being allocated to the community of Chatham, it is acknowledged that there are areas currently outside the Chatham Urban Centre Boundary suitable to accommodate residential development over the long term. However, given the current oversupply of approved residential units and residential greenfield lands within the Chatham Urban Centre Boundary, reallocation is not recommended at this time. Priority for future inclusion into the

Chatham Urban Centre Boundary is based on the following:

- ***Lands are contiguous to the Chatham urban boundary;***
- ***There are known development interests;***
- ***There is the ability to be readily serviced without significant municipal investments in infrastructure.***

These lands are suitable for inclusion in the boundary for development to accommodate long-term growth, only when the following criteria have been met:

i) ***The Municipality will first undertake a review of the significant inventory of draft-approved residential units within the Chatham Urban Centre Boundary that have existed for many years without action in accordance with the policies of Section 6.3 of this Plan before proceeding with designating any additional residential lands outside the boundary;***

ii) ***The supply of residential units in draft-approved or registered plans and lands that are appropriately zoned in the Zoning By-law for residential intensification within the Chatham Primary Urban Centre have been reduced to the equivalent of 10 years of supply, and the overall supply of land to accommodate residential growth does not exceed the supply identified in the Phase 1 Analysis of the 2013 Comprehensive Official Plan Review;***

iii) ***The proposed area to be included is a logical expansion and contiguous to the existing Urban Centre boundary and can be feasibly serviced with full municipal transportation, water, wastewater and stormwater management infrastructure;***

iv) ***The necessary public service facilities can be extended to the area;***

v) ***Impacts to the transportation network due to the inclusion of the proposed area into the Urban Centre Boundary are identified, along with an assessment of the extent of mitigation and accommodation required;***

vi) ***The proposed area shall not negatively impact natural heritage features and areas or their ecological functions,***

and should take into consideration the natural hazard constraints;

vii) The proposed area shall not negatively impact cultural heritage resources;

viii) The lands do not comprise specialty crop areas, and where agricultural lands are to be included, it must be demonstrated that there are no reasonable alternatives that avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;

ix) Incompatible uses resulting from the inclusion of the proposed area are mitigated to the extent possible;

x) The proposed area satisfies the Minimum Distance Separation Formulae and impacts on agricultural areas are mitigated to the extent feasible;

xi) A Financial Impact Analysis should be completed in accordance with Sections 2.4.10 and 6.6 of this Plan to determine the Municipality's capability, financial and otherwise, to sustainably service the proposed development; and

xii) An Official Plan Amendment in accordance with the policies of Section 6.3 of this Plan. The lands identified in "SSPA 2.3.7.2.14.1" are predominantly used for agricultural purposes and considered Prime Agricultural Lands and classified as either Class 2 or Class 3 under the Canada Land Inventory Agricultural Capability mapping. When considering an Official Plan Amendment for reallocation, the reserve supply must be reduced equal to the amount of land being reallocated by amending the Official Plan to reduce the applicable Secondary Urban Centre Boundary and the lands being removed from "SSPA 2.3.7.2.14.1" shall be designated as Agricultural.

2.3.7 Secondary Urban Centre Policies

Secondary Urban Centres are compact rural communities consisting of fewer than 1,000 people, comprising some housing, commercial and industrial businesses and public use land. The unique character and cultural heritage value of these communities should be protected. Chatham-Kent contains a number of Secondary Urban Centres, which are either serviced or planned to be serviced, with full municipal piped water supply and sanitary sewage services. They include Thamesville, Charing Cross, Merlin, Mitchell's Bay, Bothwell and Pain Court (pending). Population and employment growth will be

encouraged in the Secondary Urban Centres that have full municipal services. These communities have been designated as Secondary Urban Centres.

It shall be the objective of Chatham-Kent to:

2.3.7.1 Protect and preserve the unique character of Secondary Urban Centres, while providing opportunities for population and employment growth based on full municipal services.

It shall be the policy of Chatham-Kent that:

2.3.7.2.1 The Secondary Urban Centres shall be designated on Schedule "A" Series – Land Use to this Official Plan.

2.3.7.2.2 Secondary Urban Centres shall continue to function as service centres for the surrounding agricultural areas. Secondary Urban Centres located along the Lake Erie and Lake St. Clair shorelines shall also continue to function as key outdoor water-based recreational areas for residents and visitors to Chatham-Kent. In Secondary Urban Centres, low- and medium-density residential uses and commercial, recreational, industrial and institutional uses shall be permitted based on full municipal services. Home-based businesses will also be permitted, subject to the policies of Section B.2.3.7 of this Plan and the Zoning By-law.

As explained in Section B.2.13 of this Plan, more detailed policies have been prepared for the Mitchell's Bay Secondary Urban Centre.

2.3.7.2.3 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.7.2.4 Development in Secondary Urban Centres will include infilling, the redevelopment of brownfield and former institutional sites and the logical building out of the urban areas through greenfield development based on full municipal piped services, provided that such development satisfies the policies of this Plan and is compatible with the size and scale of the urban area.

2.3.7.2.5 Development in Secondary Urban Centres shall occur in depth, rather than along strips, and shall take place by plan of subdivision. Road access shall be via internal local roads.

2.3.7.2.6 Development in Secondary Urban Centres shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.7.2.7 Proposals for industrial development within Secondary Urban Centres, as designated on Schedule "A"- Land Use to this Official Plan, shall be permitted subject to:

a) the submission of a development plan that demonstrates that the proposed development can be physically integrated with existing and proposed uses on adjacent lands;

b) the availability of adequate water supply and sewage treatment to accommodate the proposed use; and

c) providing adequate stormwater management.

2.3.7.2.8 Proposed expansions to the boundaries of designated Secondary Urban Centres will be reviewed under the policies of Section 6.3.3.10 of this Plan.

2.3.7.2.9 Development shall complement the character and cultural heritage of the Secondary Urban Centre.

2.3.7.2.10 The delineation of specific areas for various land uses in the Secondary Urban Centre designation shall be established through the implementing Zoning By-law for the particular secondary urban centre.

2.3.7.2.11 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the applicable Secondary Urban Centre.

2.3.7.2.12 The policies of Section 7.1.2.2.2 of the Sustainable Shoreline Secondary Plan shall also apply to the Secondary Urban Centres located within the Sustainable Shoreline Secondary Plan Area.

2.3.7.2.13 Secondary Urban Centre Special Policy Area:

The Special Policy Area designation applies to an area within a community that has historically been located within the floodplain and where strict prohibition of development would result in social and economic hardships for that community. As a result, site-specific policies have been formulated to address development within the defined limits of the Special Policy Area.

It shall be the policy of Chatham-Kent that:

2.3.7.2.13.1 The Special Policy Area policies for Secondary Urban Centres shall be contained in Section B.2.11 of this Plan.

2.3.7.2.14 Secondary Urban Centre Site Specific Policies

2.3.7.2.14.1 Subject to the policies in this plan, and in accordance with Sections 2.3.6.2.13 and 2.3.6.2.14, the lands identified on Schedule "A" Series – Land Use as "Site Specific Policy Area 2.3.7.2.14.1," located within the Settlement

Area Boundaries of Bothwell, Charing Cross, Merlin, Mitchell's Bay and Thamesville, shall be considered a "reserve supply" for the potential future reallocation of land to other more suitable locations, predominantly for employment land uses. All lands within this designation are currently zoned either "D, Deferred Development" or "HL, Hazard Land," which permit agricultural and/or existing uses only and total approximately 230 ha of land.

2.3.8 Suburban Residential Area Policies

Low-density residential development has occurred along public roads in the fringe areas outside of the Primary Urban Centres such as Chatham and Blenheim. The Suburban Residential Area designation recognizes those existing residential areas.

It shall be the objective of Chatham-Kent to:

2.3.8.1 Recognize existing Suburban Residential Areas adjacent to the Urban Centres and limit development to infilling.

It shall be the policy of Chatham-Kent that:

2.3.8.2.1 Suburban Residential Areas shall be designated on Schedule "A" Series – Land Use to this Official Plan.

2.3.8.2.2 The predominant use of land within the Suburban Residential Area designation shall be for low-density residential development. Home-based businesses will also be permitted, subject to the policies of Section B.2.3.8 of the Plan and the Zoning By-law.

2.3.8.2.3 Permitted uses will include existing uses and a limited amount of infilling.

2.3.8.2.4 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features to this Official Plan, the policies contained in Section 4 of this Plan will also apply.

2.3.8.2.5 Proposals to expand the boundaries of a Suburban Residential Area will require full municipal services being made available to the area, redesignation to Primary Urban Centre, and will be reviewed under the policies of Section 6.3.3.10 of this Plan.

2.3.8.2.6 Suburban Residential Areas shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

2.3.8.2.7 If municipal piped water and/or sanitary sewage service is available or a capital commitment has been made to make it available, residential development based on private services shall not be permitted.

2.3.8.2.8 Suburban residential development shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.8.2.9 Suburban Residential Areas shall be zoned in the implementing Zoning By-law for Chatham-Kent.

2.3.8.2.10 Suburban Residential Area Site-Specific Policies:

2.3.8.2.10.1 For lands identified on Schedule "A" Series – Land Use as "Site-Specific Policy Area 2.3.8.10.1" and located at the south-westerly corner of Communication Road (Highway 40) and Park Avenue East, the following policies apply:

a) A church will be permitted as the principal use. Associated uses involving the care and housing of the elderly will also be permitted. All uses shall be implemented by the site-specific amendment to the zoning by-law and site plan approval.

b) Full municipal servicing will be required. Permanent sanitary servicing will be by connection to the municipal sewer system in accordance with the East Chatham/North Thames River Sanitary Sewage Study prepared by Todgham and Case Associates Inc.

c) Notwithstanding Clause (b) above, temporary sanitary servicing by a private onsite sewage system will be permitted if the pump station necessary for a permanent connection is not available, subject to the following conditions:

i) no associated uses will be permitted unless connected to the municipal sewer system;

ii) the private onsite system shall be subject to approval by the appropriate authority;

iii) the owner must agree to share in the construction cost of the pump station, in accordance with the Todgham and Case Study, and connect to it.

d) Stormwater management will conform to the Southeast Quadrant Secondary Plan Stormwater Management Review prepared by Todgham and Case Associates Inc.

e) Primary access to the site will be from Park Avenue East. Location of access and any necessary road improvements will be in

accordance with the Traffic Impact Study for the Southeast Quadrant Secondary Plan Area prepared by Dillon Consulting.

f) No access will be permitted from Highway 40, unless approved by the Ministry of Transportation.

g) Items (b), (c), (d), (e) and (f) are to be addressed as part of a site-plan approval process.

h) The "H" – Holding Symbol will be applied; the "H" to be removed once all financial, servicing and access matters have been approved to the satisfaction of the Municipality.

2.3.9 Hamlet Area Policies

Chatham-Kent contains a number of hamlets, such as Highgate, Erieau and Shrewsbury, which are serviced with municipal piped water supply and private sewage disposal. Where hamlets are served by partial municipal services (municipal piped water supply and private sewage disposal), development should be limited to infilling.

It shall be the objective of Chatham-Kent to:

2.3.9.1 Protect and preserve the unique character of established hamlets while providing opportunities for environmentally sustainable economic growth.

It shall be the policy of Chatham-Kent that:

2.3.9.2.1 Existing hamlets that are serviced by municipal piped water supply and private sewage disposal shall be designated Hamlet Areas on Schedule "A" Series – Land Use to this Official Plan.

2.3.9.2.2 Hamlets shall continue to function as service centres for the surrounding agricultural areas. Hamlets located along the Lake Erie and Lake St. Clair shorelines shall also continue to function as key outdoor water-based recreational areas for residents and visitors to Chatham-Kent. In hamlets, residential uses shall be primarily low density. Small-scale commercial, recreational, industrial and institutional uses shall also be permitted. Home-based businesses will also be permitted, subject to the policies of Section B.2.3.8 of this Plan and the Zoning By-law.

2.3.9.2.3 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.9.2.4 Development proposals in Hamlet Areas will be limited to infilling, redevelopment of brownfield and former institutional sites, and shall

demonstrate the suitability of the site for the proposed method of sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

2.3.9.2.5 Development in Hamlet Areas shall occur in depth, rather than along strips, and shall take place by plan of subdivision. Road access shall be via internal local roads.

2.3.9.2.6 Development in Hamlet Areas shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.9.2.7 Proposals for industrial development within Hamlet Areas, as designated on Schedule "A" Series – Land Use to this Official Plan, may be permitted subject to:

a) the submission of a development plan, which demonstrates that the proposed development can be physically integrated with existing and proposed uses on adjacent lands;

b) the availability of adequate water supply and sewage treatment to accommodate the proposed use; and

c) provision of adequate stormwater management.

2.3.9.2.8 Proposed expansions to the boundaries of designated Hamlet Areas will be reviewed under the policies of Section 6.3.3.10.

2.3.9.2.9 Development shall complement the character and cultural heritage of the hamlet. The population increase resulting from development shall not change the character of the hamlet.

2.3.9.2.10 The delineation of specific areas for various land uses in the Hamlet Area designation shall be established through the implementing Zoning By-law for the particular hamlet.

2.3.9.2.11 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the applicable hamlet.

2.3.9.2.12 The policies of Section 7.1.2.2.3 of the Sustainable Shoreline Secondary Plan shall also apply to the Hamlet Areas located within the Sustainable Shoreline Secondary Plan Area.

2.3.10 Rural Settlement Area Policies

Chatham-Kent contains a number of settlement areas that are serviced by private water supply and sanitary sewage services. The settlement areas typically comprise a small grouping of houses and businesses and have a population of less than 200 people. The character and cultural heritage value of these privately serviced hamlets and settlement areas should be protected by designating them as Rural Settlement Areas. Development should be limited to minor infilling. Major growth should be directed to fully serviced Primary and Secondary Urban Centres.

It shall be the objective of Chatham-Kent to:

2.3.10.1 Protect and preserve the historic character of established Rural Settlement Areas.

It shall be the policy of Chatham-Kent that:

2.3.10.2.1 Historic settlement areas that are serviced by private water supply and private sewage disposal shall be designated Rural Settlement Areas on Schedule "A" Series – Land Use to this Official Plan.

2.3.10.2.2 Rural Settlement Areas shall be rural in nature and function as local service centres for the immediately surrounding agricultural areas. The predominant use of land within the Rural Settlement Area designation shall be for existing low-density residential uses and small-scale commercial, recreational, industrial and institutional uses. New development in Rural Settlement Areas shall be limited to minor infilling. Home-based businesses will also be permitted, subject to the policies of Section B.2.3.8 of this Plan and the Zoning By-law.

2.3.10.2.3 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.10.2.4 Rural Settlement Areas shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

2.3.10.2.5 Development in Rural Settlement Areas shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.10.2.6 Industrial sites shall be developed to minimize potential conflicts with surrounding land uses. Circulation shall be designed to minimize penetration of industrial traffic into or through residential areas. Industrial development located near residential uses shall be limited to light

manufacturing activity and service-related industries with higher performance standards in order to minimize incompatibility with residential uses. Industrial uses should have direct access to an arterial or collector road and should be sited in such a manner as to facilitate easy vehicle access. Only non-effluent producing dry industries, which require water primarily for the use of onsite employees, shall be permitted.

2.3.10.2.7 New development in Rural Settlement Areas shall complement their historic character and cultural heritage.

2.3.10.2.8 Proposed expansions to the boundaries of the designated Rural Settlement Areas shall be discouraged.

2.3.10.2.9 The delineation of the settlement area boundary and specific areas for various land uses in the Rural Settlement Area designation shall be established through the implementing Zoning By-law for the particular settlement area.

2.3.10.2.10 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the particular Rural Settlement Area.

2.3.11 Estate Residential Area Policies

Estate Residential development is generally intended to provide an alternative form of housing to what is typically found in the Primary and Secondary Urban Centres, Hamlets and Rural Settlement Areas. Estate Residential development will constitute a very limited portion of the total housing stock in Chatham-Kent.

It shall be the objective of Chatham-Kent to:

2.3.11.1 Recognize existing Estate Residential Areas and limit development to infilling.

It shall be the policy of Chatham-Kent that:

2.3.11.2.1 Estate Residential Areas shall be designated on Schedule "A" Series – Land Use to this Official Plan.

2.3.11.2.2 The predominant use of land within the Estate Residential Area designation shall be for low-density residential development. Permitted uses shall include existing uses and a limited amount of infilling.

2.3.11.2.3 Estate residential development shall be permitted only if it retains the rural character of the landscape and minimizes disturbance to the natural environment.

2.3.11.2.4 Valleylands and floodplain lands shall be reserved as open space and not be included in the buildable portion of the residential lot.

2.3.11.2.5 Estate residential development shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

2.3.11.2.6 Estate residential development shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.11.2.7 Proposals to either establish a new Estate Residential Area designation or expand an existing Estate Residential Area designation will be reviewed under the policies of the Provincial Policy Statement and Section 6.3.3.10 of this Plan.

2.3.11.2.8 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.11.2.9 Estate Residential Areas shall be zoned in the implementing Zoning By-law for Chatham-Kent.

2.3.12 Recreational Residential Area Policies

On the shorelines of Lake Erie, Lake St. Clair, the Thames River and the Sydenham River, there are pockets of low-density residential development and cottages with direct access to both publicly maintained roads and private roads. Permanent dwellings in these locations are attractive because of their scenic vistas, recreational amenities and relatively easy commute to the urban centres in Chatham-Kent. Recreational residential development is intended to provide an alternative form of housing to what is typically found in the Primary and Secondary Urban Centres, Hamlets, Rural Settlement and Estate Residential Areas. It will constitute a limited portion of the total housing stock in Chatham-Kent.

It shall be the objective of Chatham-Kent to:

2.3.12.1 Permit the development of recreational residential uses in locations that are in close proximity to water corridors and will not impact agriculture and the natural environment.

It shall be the policy of Chatham-Kent that:

2.3.12.2.1 Recreational Residential Areas shall be designated on Schedule "A" Series – Land Use to this Official Plan.

2.3.12.2.2 The predominant use of land within the Recreational Residential Area designation shall be permanent low-density residential development and seasonal cottages based on public road access. Seasonal cottages shall be permitted on existing lots of record with private road access. The development of new cottage lots on private roads shall be discouraged. Home-based businesses will also be permitted, subject to the policies of Section B.2.3.8 of this Plan and the Zoning By-law.

2.3.12.2.3 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.12.2.4 Recreational Residential development shall have adequate setbacks from the shoreline of any lake or watercourse to ensure adequate protection from erosion, changes in water level and flooding, in consultation with the appropriate Conservation Authority, and to ensure maintenance of water quality and the protection of fish and wildlife habitats in consultation with the appropriate authority.

2.3.12.2.5 Floodplain lands and shoreline corridors shall be reserved for open space and will not be included in the buildable portion of the residential lot.

2.3.12.2.6 Any lot proposed for recreational residential development shall be served by a year-round, publicly maintained road. Notwithstanding the aforementioned, seasonal cottages shall be permitted on existing lots of record served by a private road.

2.3.12.2.7 Development shall be by plan of subdivision, plan of condominium or by consent.

2.3.12.2.8 Recreational Residential Areas shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

2.3.12.2.9 Development in Recreational Residential Areas shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.12.2.10 Proposals to either establish a new Recreational Residential Area designation or expand an existing Recreational Residential Area designation

will be reviewed under the policies of the Provincial Policy Statement and Section 6.3.3.10 of this Plan

2.3.12.2.11 Recreational Residential Areas shall be developed in groupings to avoid ribbon development where possible.

2.3.12.2.12 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the particular Recreational Residential Area.

2.3.12.2.13 Recreational Residential Area Site-Specific Policies:

2.3.12.2.13.1 Bradley Settlement Area Vicinity:

For those lands identified on Schedule "A" Series – Land Use as "Site Specific Policy Area 2.3.12.2.13.1" and located in the vicinity of the Bradley Settlement Area and the mouth of the Thames River, the following policies shall also apply:

a) development within the limits of the Recreational Residential Site Specific Policy Area 2.3.12.2.13.1 shall be permitted on a private road, provided that a property owner is established with responsibility for road maintenance, ensuring efficient and safe access for emergency and service vehicles and any other related common interests;

b) the Municipality shall not be responsible in any way for the maintenance, upkeep or any other matter associated with the private road.

2.3.12.2.13.2 Bates Subdivision

For those lands identified on Schedule "A" Series – Land Use Plan as "Site Specific Policy Area 2.3.12.2.13.2" and located between Lake Erie and Rondeau Harbour, and extending north from Rondeau Provincial Park to Kent Bridge Road and known locally as Bates Subdivision, the following policies shall also apply:

a) Residential Uses

Subject to other provisions of this policy, both seasonal and permanent residential uses will be permitted throughout the Bates Subdivision except in the following areas:

Only residential uses ancillary to commercial uses will be permitted on those lands fronting on Kent Bridge Road between Rondeau Provincial Park and Second Avenue.

Residential uses will be discouraged on those lands fronting on the east side of Kent Bridge Road between Sixth Avenue and Kent Bridge Road.

Notwithstanding the above, primary residential uses may be permitted in the above described areas without amendment to this Plan if, in the opinion of the Municipality, demand for commercial uses has diminished to the extent where they can no longer be reasonably expected to locate there.

b) Commercial Uses

i) The following types of commercial uses will be permitted:

- Uses intended to serve recreational demand such as marinas, docking facilities, boat and yacht clubs, boat rental establishments, marina supply stores or bike rentals;

- Uses intended to serve tourism demand such as tourist homes, motels, restaurants and gift shops;

- Uses intended to serve seasonal and permanent residential uses such as grocery stores, convenience stores and service stations.

ii) Large-scale assembly-type commercial uses such as a dance hall or bingo hall are not permitted.

iii) Commercial locations are confined to those areas described in Policy 2.3.12.2.13.2 c) i) and ii) above.

c) Other Uses

Other non-residential uses will be permitted, depending on their impact on the existing residential uses. Any proposal for a non-residential use must satisfy the Municipality that there will be no undue impact that would unreasonably reduce the level of enjoyment of property experienced by neighbouring residents.

d) Access to Water and Road Closings

i) All accesses to Lake Erie and Rondeau Bay within Bates Subdivision utilized historically by local residents are to be retained by the Municipality in the consideration of any by-law or public work.

ii) To deal with existing zoning infractions and encroachments and to provide neighbouring landowners with the opportunity to construct adequate buffering

adjacent to public walkways to Lake Erie or Rondeau Bay, the Municipality will undertake to partially close the following unopened road allowances:

- Second Street to Fourth Street (inclusive), between Wildwood Line and Rondeau Bay;

- Second Street to Sixth Street (inclusive), between Bates Line (formerly Lakeshore Road) and Lake Erie;

- The road allowance approximately 250 ft. east of and parallel to Bates Line beginning at Kent Bridge Road and ending at the Rondeau Provincial Park Boundary, otherwise known as Military Trail.

iii) In partially closing any road allowances named in Clause f) II) a) to c), the Municipality will retain an access to Lake Erie and Rondeau Bay, to be a minimum of 20 ft. in width.

iv) Any lands acquired by private landowners as a result of a road closing undertaken under Clause f) above will be zoned to prohibit the construction of a new building or an extension to an existing building.

e) Other Policy Provisions

i) All lands within Bates Subdivision, regardless of uses, are proposed site-plan control areas;

ii) The Municipality will pass a Fill By-law under The Municipal Act to control removal, relocation or placing of fill, or removal of vegetation from lands bordering Lake Erie;

iii) The Municipality will consult with the Ministry of Natural Resources on ways to resolve land-use problems such as undesirable use of Lake Erie shoreline and traffic congestion caused by on-street parking;

iv) The Municipality will arrange with the Ministry of the Environment and any other appropriate agency for the regular monitoring of ground and surface water for contamination.

v) Should ground or surface water monitoring clearly demonstrate a consistent historical increase in contamination levels, the Municipality will place an Interim Control By-law under Section 38 of the Planning Act, and undertake a study to review contaminant prevention and

remediation measures; such review will also determine the need for a stormwater management plan.

vi) When undertaking public works, the Municipality will ensure that consideration is given to the protection and enhancement of those physical features which provide Bates Subdivision with its pleasing ambience and character, such as the narrow roads and extensive mature tree growth.

2.3.12.2.13.3 For lands identified on Schedule "A" Series – Land Use as "Site Specific Policy Area 2.3.12.2.13.3" and located on the south side of Talbot Trail, west of Stevenson Road, the following policies apply:

a) a maximum of five lots are permitted; each lot must have a minimum lot frontage of 30 metres and be serviced with separate municipal water connections, separate sewage disposal systems and individual driveways;

b) all new buildings must be set back at least 55 metres from the top of the bank adjoining Lake Erie.

2.3.12.2.13.4 For lands identified on Schedule "A" Series – Land Use as "Site Specific Policy Area 2.3.12.2.13.4" and located on the southeast side of Talbot Trail (C-K Road 3) in Lots 184 189 and Lot 190, Talbot Road Survey, the following policies apply:

a) New lots may be created by consent subject to the following provisions:

i) the lots must conform to the Zoning By-law;

ii) a phase 1 archaeological assessment on lots not previously disturbed by gravel extraction operations must be completed as a condition of consent;

iii) prior to approval and subject to clause (iv), a geotechnical study may be required on land not subject to prior gravel extraction operations to determine the viability of the gravel resource for future extraction;

iv) the requirement in clause (iii) above may be waived if it can be demonstrated that the extraction of gravel resources is not feasible;

v) provision of a stormwater management plan to the approval of the Municipality should be a condition of consent;

vi) payout of water connection charges shall be a condition of consent subject to the provision of clause (vii);

vii) the requirement in clause(vi) above may be waived if the subject lots are placed in a "H" – Holding Zone, the "H" to be removed once the water connection fees have been paid;

viii) any necessary road widenings will be conveyed to the Municipality as a condition of consent;

ix) all new lot creation is subject to the development charges outlined by the Development Charges By-law;

x) all new lot creation will be required to pay 5% cash-in lieu of parkland dedication;

xi) creation of a vegetation retention plan approved by the Ministry of Natural Resources prohibiting the modification or destruction of significant threatened species habitat, as identified by the Ministry of Natural Resources, to be secured by an agreement under the Planning Act to be registered on title imposed as a condition to the granting of a provisional consent. The agreement shall also contain provisions that all agreements of purchase and sale or leases provide notice that no site alteration or removal of vegetation shall take place that does not conform to the vegetation retention plan.

b) The subject lots will be rezoned on a site-by-site basis, subject to the following performance standards:

i) minimum lot frontage should be 45 metres;

ii) minimum lot area shall be 0.4 hectares;

iii) setbacks from the top of bank for shoreline and ravines will be subject to the approval of the Lower Thames Valley Conservation Authority;

iv) front yard setbacks may be reduced to ensure a viable building envelope, subject to the impact on access and egress safety, and the setback of existing neighbouring dwellings.

2.3.13 Mobile Home Park Area Policies

A number of mobile home parks exist in Chatham-Kent. Mobile home parks provide an alternative form of housing. The intention of this Plan is to recognize the existing approved

mobile home parks. Further development of mobile home parks shall be by site-specific amendment to this Official Plan.

It shall be the objective of Chatham-Kent to:

2.3.13.1 Recognize the existing mobile home parks while requiring the development of new or expanding mobile home parks to be by site-specific amendment to this Official Plan.

It shall be the policy of Chatham-Kent that:

2.3.13.2.1 The approved mobile home parks in Chatham-Kent shall be designated Mobile Home Park Areas on Schedule "A" Series – Land Use to this Official Plan.

2.3.13.2.2 The permitted use of land within the Mobile Home Park Area designation shall be for mobile homes and accessory uses based on approved mobile home park site development plans. Home-based businesses will also be permitted, subject to the policies of Section B.2.3.8 of this Plan and the Zoning By-law.

2.3.13.2.3 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

2.3.13.2.4 Mobile home parks shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

2.3.13.2.5 Mobile home park development shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

2.3.13.2.6 Mobile home park development shall be subject to site-plan control.

2.3.13.2.7 Conventional dwellings and travel trailers shall not be permitted in the Mobile Home Park Area. Mobile homes shall have their running gears permanently removed and shall be set on blocks and/or foundations.

2.3.13.2.8 The delineation of specific areas for various land uses in a mobile home park development shall be established through the implementing Zoning By-law.

2.3.13.2.9 Mobile home park developments shall be implemented through site-specific amendments to the implementing Zoning By-law.

2.3.13.2.10 Proposals to either establish a new Mobile Home Park Area designation or expand an existing Mobile Home Park Area designation in the rural areas are not contemplated. An application for an Official Plan Amendment to permit a new or expanded Mobile Home Park in the settlement areas will be reviewed under the policies of Section 6.3.3.10 of this Plan.

2.4 COMMUNITY INFRASTRUCTURE

2.4.1 Hard Services and Healthy Communities

Hard services include roads, water and sanitary sewage services. These major facilities and systems require long-term planning of capital works and significant municipal investment in annual maintenance and operations. The provision of these services is driven by both the demands of future residents and businesses and the needs of the existing community. In the case of certain services, such as potable water supply, there is a direct relationship between citizens' health and the adequate provision of this service. For other services, there can be an indirect but still significant impact to community health. For example, the promotion of non-automobile modes of transportation contributes to the decrease in greenhouse gas emissions from the use of private automobiles. When these services are provided by Chatham-Kent, it is in the public interest to ensure that they are delivered cost effectively.

The process for exploring the options available to the municipality for the provision of new sewage treatment and water treatment infrastructure is set out in the Municipal Class Environmental Assessment (Class EA). Under the Environmental Assessment Act, the planning process described by this Class EA must be completed before new infrastructure projects can be approved by the Province of Ontario. The following principles will guide the involvement of the municipality in the planning of new communal sanitary sewage, storm sewage and drinking water infrastructure projects undertaken by the municipality or the private sector.

a) Infrastructure projects will consider the future servicing needs of the urban unit defined by this Official Plan.

b) The need for new infrastructure will consider the proximity, public investment and capacity of services located in areas that may provide an alternative location for growth.

c) Before any Class EA process commences, the municipality will determine whether the infrastructure can be planned and constructed under a Planning Act process in accordance with the integration provisions of the Class EA. If the integration provisions are not employed, no amendment to this plan that has the effect of redesignating land for new development or establishing a service area will be adopted until the preferred alternative is defined in a Class EA process.

d) Before any Class EA process commences, the municipality will establish whether the project should proceed in accordance with the provisions of the Class EA for the Master Plans, in order to provide a framework for the subsequent planning of related individual projects.

2.4.2 Road Network

Chatham-Kent is served by an extensive network of local, collector and arterial roads and highways. These roads provide linkages within the community, to other parts of Ontario and to the United States. Highway 40 and Highway 401 are the only roads currently under the jurisdiction of the province, and the Municipality is responsible for maintaining all other roads in Chatham-Kent.

There is a strong relationship between land use, built form and transportation. Where arterial roads travel through primary urban centres, streetscapes need to be designed to promote active transportation and transit use. A more compact mixed-use built form in the Primary Urban Centres helps to reduce overall average trip length and support active transportation for daily activities and, in Chatham, would encourage a higher level of transit use.

Active transportation is a form of travel for utilitarian purposes, which provides environmental, health and social benefits, including reduced auto dependency, reduced traffic congestion, reduced fuel consumption, improved air quality, and increased social interactions within a neighbourhood. Active transportation means non-motorized travel, and includes walking, cycling, in-line skating, skateboarding, wheeling and other human-powered forms of travel and any remedial appliance or device used to assist persons with disabilities. Active transportation may also include a motor-assisted bicycle, but does not include any other form of motor vehicle as defined by the Highway Traffic Act.

As a recently amalgamated municipality, the road systems from the former County and the 22 local municipalities need to be organized, maintained and prioritized for improvements. Rights-of-way need to be protected to provide for those future improvements. In the primary urban centres, the road corridors will increasingly be shared by cars, transport trucks, pedestrians and cyclists. To encourage more shopping activity in the downtowns and main streets of the Primary Urban Centres, the streetscapes of key roads will need to be upgraded through improvements to boulevard plantings, sidewalks, street furniture, street lighting and building facades. Urban road corridors in Chatham-Kent are for pedestrians, cyclists and vehicles. The active transportation network is an important component of the urban road network and includes, but is not necessarily limited to, sidewalks, crosswalks, designated road lanes, cycling lanes, linkages, multi-use paths, multi-use trails, and off-road trails to accommodate active transportation.

It shall be the objective of Chatham-Kent to:

2.4.2.1.1 Plan and protect road corridors to provide for the future urban and rural road system in the Municipality.

2.4.2.1.2 Establish and maintain a safe and efficient road network that will support the various modes of transportation including transit, active transportation and motor vehicle traffic.

It shall be the policy of Chatham-Kent that:

2.4.2.2.1 Transportation facilities shall generally be planned and developed to comply with the following general road classification and function and design requirements:

a) Provincial Highways

In addition to all the applicable municipal requirements, all proposed development located adjacent to and in the vicinity of a provincial highway within the Ministry of Transportation's (MTO) permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to or in the vicinity of a provincial highway or interchange or intersection within MTO's permit control area will be subject to MTO's policies, standards and requirements. Direct access will be discouraged and often prohibited.

Where applicable, access and permits required for all development adjacent to a provincial highway are subject to MTO approval.

b) Urban Arterial Roads

- *serve intra-urban and through travel;*
- *direct access from abutting properties is limited, particularly near major intersections;*
- *right-of-way widths of 26.0 m. to 35.0 m;*
- *posted speeds vary from 50 km/hr to 70 km/hr.*

c) Rural Arterial Roads

- *serve local and regional travel;*
- *direct access from abutting properties is limited near major intersections;*
- *right-of-way widths vary from 26.0 m. to 35.0 m.;*
- *posted speeds vary from 60 km/hr to 90 km/hr*

d) Urban Collector Roads

- *serve moderate volumes of inter-neighbourhood traffic;*
- *connect collector and local roads to arterial roads or provincial highways;*
- *direct access from abutting properties is normally permitted, except near major intersections;*
- *right-of-way widths vary from 20.0 m. to 26.0 m.;*
- *may contain on-street parking on one or two sides;*
- *posted speeds vary from 50 km/hr to 60 km/hr.*

e) Rural Collector Roads

- *serve local travel;*
- *connect collector and local roads to arterial roads;*
- *direct access from abutting properties is normally permitted, except near major intersections;*
- *right-of-way widths vary from 20.0 m. to 26.0 m.;*
- *may contain on-street parking on one or two sides;*
- *posted speeds vary from 60 km/hr to 80 km/hr.*

f) Local Roads

- *serve residential and/or employment areas;*
- *connect individual properties to collector, arterial roads and provincial highways;*
- *direct access from abutting properties is permitted except near major intersections;*
- *right-of-way widths of 20.0 m. minimum;*
- *provision for on-street parking on one or two sides;*
- *posted speeds vary from 40 km/hr to 60 km/hr.*

2.4.2.2.2 The location and classification of the major roadways in Chatham-Kent are identified on Schedule "B" – Road Network to this Official Plan.

2.4.2.2.3 Individual roads shall be designed in accordance with the specific right-of-way widths identified in this Official Plan.

2.4.2.2.4 Unless a lesser right-of-way is agreed to with the developer through the development approvals process, the Municipality shall obtain widenings to the widths identified in this Plan.

2.4.2.2.5 In general, road widenings shall be taken equally from the centre-line of the roadway. Developers may be required as a condition of development and/or redevelopment approval to provide land to the Municipality for road widenings based on the following:

a) land shall be conveyed at no expense to the Municipality for road widenings as a result of new development, changes in use that generate significant traffic volumes, or additions that substantially increase the size or usability of buildings or structures. Land may

be reserved for future purchase by the Municipality as a result of additions that do not substantially increase the size or usability of buildings or structures;

b) unequal widenings may be required where topographic features, public lands, historic buildings or other cultural heritage resources, significant environmental concerns, or other unique conditions necessitate taking a greater widening or the total widening on one side of the existing municipal road right-of-way;

c) additional land may also be required where there is an existing at-grade crossing of a municipal road and a railway line. This land may be used to construct a grade-separated crossing at some time in the future; and

d) the rights-of-way width requirement indicated on Schedule "C" Series may be reduced for a specific section when special circumstances warrant it and when the long-term urban structure requirements will not be jeopardized.

2.4.2.2.6 Where existing development or natural features preclude the achievement of the designated right-of-way width, the Municipality shall undertake an analysis to determine the practical right-of-way width that serves the anticipated traffic, while minimizing the impacts on the streetscape, natural features and/or the abutting development.

2.4.2.2.7 That the street widths identified in Section 2.4.2.2.1 be considered as basic right-of-way widths, and additional land takings may also be required for sight triangles, road cuts, fills, extra lands at intersections, wider sidewalks, cycling lanes, multi-use pathways and landscaping, where appropriate.

2.4.2.2.8 The Municipality may allow rights-of-way widths less than the maximum widths identified in this Plan for reasons such as:

a) making provision for additional affordable housing within a project through reduced road right-of-ways and resultant higher lot/unit counts;

b) recognizing existing roadways that were built to a lower standard;

c) facilitating the preservation of the cultural heritage of a streetscape within a community or neighbourhood.

2.4.2.2.9 To achieve this environment, the Municipality, as set out in the applicable municipal policy, design standards or guidelines, may apply a variety of traffic-calming techniques to improve the safety of pedestrians and cyclists, particularly around schools and in neighbourhoods.

2.4.2.2.10 Priority shall also be given to protecting existing heritage streetscapes using techniques such as variable rights-of-way, road by-passes and innovative road cross-section standards.

2.4.2.2.11 The rights-of-way widths for roads are intended to accommodate users of all modes of transportation, including pedestrians and cyclists. Ensure that all new road construction and reconstruction projects incorporate provisions for pedestrian and cycling facilities, where warranted and appropriate. Arterial and collector road rights-of-way in the larger Primary Urban Centres incorporate separate cycling lanes as a means of encouraging active transportation, where warranted and appropriate.

2.4.2.2.12 New development and/or redevelopment shall not be permitted unless those lands are accessible by means of a road built to the standard of the Municipality that can accommodate the proposed development.

2.4.2.2.13 Direct access from adjacent developments to arterial roads shall be restricted where the development has suitable access to the collector or local road system. Exceptions may be made in the downtowns, main streets and major business corridors of the Primary Urban Centres.

2.4.2.2.14 Development proposals that are likely to generate significant traffic shall prepare a traffic impact study to determine their impact on the surrounding road system and adjacent land uses, and identify appropriate mitigation measures including road improvements. The traffic impact study shall be prepared in accordance with the Municipality's Traffic Impact Study Guidelines and to the satisfaction of the Municipality; in the case of a provincial freeway or highway, the Ministry of Transportation will also be involved. As a condition of development approval, developers shall either be required to make the necessary improvements to the existing transportation system, or to make a contribution to the Municipality for the cost of those improvements.

2.4.2.2.15 Traffic volumes on arterial and collector roads shall be monitored by the Municipality, and improvements to roads and intersections (e.g., traffic signals, turning lanes) shall be undertaken on a priority basis.

2.4.2.2.16 The appropriate agencies shall be encouraged to expedite the construction of road/railway grade separations where appropriate.

2.4.2.2.17 A grade-separated crossing of the CSX Railway at Park Avenue in the Chatham Urban Centre is planned. When warranted, the Municipality shall initiate this project. The cost of the work shall be cost shared with the CSX Railway. Funding shall also be pursued from the provincial and federal governments, and other bodies.

2.4.2.2.18 The policies of Section 2.4.2 shall apply to the future Chatham Western Transportation Link (CWTL), as documented in the Chatham Western Transportation Link, Environmental Study Report, and as depicted on

Schedules A5, A8, B1, B5 and E2, respectively. Reference should be made to the Preferred Route depicted as Figure 6.5 in the Chatham Western Transportation Link, Environmental Study Report for the specific location, right-of-way width and preliminary design parameters when applying the policies of this Plan to any future development applications or planning decisions.

2.4.3 Transit Network

Transit can be an important component of the overall transportation system for Chatham-Kent by providing access to daily services, retail needs, and recreational resources. It supports physical activity opportunities by encouraging walking and cycling. It can help reduce vehicular traffic in the larger Primary Urban Centres such as Chatham, and provide transportation to jobs and services for residents who do not have access to a private automobile. It has the benefit of improving air quality by reducing dependency on the private automobile. Public transit is important to Chatham-Kent from an economic, environmental and energy conservation perspective. The continued provision of transit service is based on numerous considerations, including the ability of Chatham-Kent to recover transit service costs through the fare box, the type of service being offered (dial-a-bus or scheduled bus service), the level of service offered, the development density that supports transit, the routing of service, etc.

It shall be the objective of Chatham-Kent to:

2.4.3.1 Support the continued development and expansion of transit service where economically feasible.

2.4.3.2 Provide safe, convenient and accessible transit service that meets the needs of businesses and residents, including children, youth, seniors and persons with special needs, and persons with disabilities.

It shall be the policy of Chatham-Kent that:

2.4.3.2.1 The Municipality shall continue to provide local transit service in Chatham-Kent within its financial capabilities.

2.4.3.2.2 The Municipality shall undertake a Transit Master Plan to examine the provision of wider transit service in Chatham and the expansion of service to other Primary Urban Centres such as Wallaceburg.

2.4.3.2.3 Medium- and high-density residential development shall be encouraged to front on arterial roads where transit is either provided or planned.

2.4.4 Goods Movement

The efficient movement of goods within and through Chatham-Kent is a key component of the Municipality's economic development strategy. Major sectors of Chatham-Kent's economy are dependent on the efficient movement of goods, the agriculture industry bringing goods to market, and automotive parts manufacturers providing just-in-time deliveries to assembly plants. To maintain an efficient movement of goods within and

through Chatham-Kent, it is imperative that conflicts between truck traffic, the railways, commuter/local traffic and incompatible development are minimized.

It shall be the objective of Chatham-Kent to:

2.4.4.1 Facilitate the safe and efficient movement of goods in and through the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.4.2.1 The Municipality shall work with other levels of government, non-government agencies and the private sector to minimize the risks and facilitate the safe and efficient movement of goods into and through Chatham-Kent.

2.4.4.2.2 Business activities that require heavy truck traffic shall be encouraged to locate in close proximity or adjacent to provincial highway interchanges and arterial roads in appropriately designated areas.

2.4.4.2.3 The Municipality shall work with local businesses to ensure the provision of truck routes which meet their needs while having regard for the need to protect residential neighbourhoods from truck noise, pollution and hazards. Truck routes using local roads through residential neighbourhoods shall be discouraged.

2.4.4.2.4 The Municipality shall direct the location of facilities and/or industries that generate and/or process hazardous waste to areas outside of the urban centres.

2.4.4.2.5 The Municipality shall support a safe and efficient railway network by:

- ***a) recognizing the importance of rail service to Chatham-Kent and encouraging the movement of goods and people by rail;***
- ***b) encouraging the movement of hazardous goods on railway lines outside of Urban Centres;***
- ***c) working to secure grade separations at major railway line/arterial road crossings on a priority basis;***
- ***d) advising proponents that all proposed development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified;***
- ***e) advising proponents that all proposed development within 75 metres of a railway right-of-way may be required to undertake***

vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified;

f) advising proponents that new residential development and other sensitive land uses will not be permitted within 300 metres of a rail yard; and

g) advising proponents that all new residential development and other sensitive land uses within 1,000 metres of a rail yard will be required to undertake noise studies, to the satisfaction of the Municipality and the appropriate railway, to support its feasibility of development and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise and vibration that were identified.

2.4.5 Recreational Trails and Active Transportation Networks

A significant trail network exists in Chatham-Kent, as part of the Trans Canada Trail Network, consisting of formal and informal trails that cater to a variety of trail users. Trends in trail use are changing, as are the needs and desires of residents in Chatham-Kent. Trails can support active recreation and active transportation for utilitarian purposes. The Chatham-Kent Trails Master Plan (2009) was developed to provide connectivity throughout the Municipality as an important means of providing a safe, convenient form of park access. To achieve this goal, the concept plan was the development of looped trail systems incorporated into community and municipal parks as a component of recreational activities for health and fitness. The Trails Master Plan provides recreational opportunities and forms of transportation to various age groups.

Recreational trails and active transportation networks contribute to the development of healthy communities. Recreational cycling supports tourism, which has positive economic development spin-offs and contributes to human health. Supporting active transportation includes providing on-street and off-street cycling paths, linked trail systems, bicycle racks and driver education/awareness. Educational programs can be implemented to encourage walking and cycling as viable forms of transportation, to instruct cyclists about appropriate safety precautions and to encourage motorists to share the road with cyclists.

It shall be the objective of Chatham-Kent to:

2.4.5.1.1 Promote and facilitate a system of recreational trails to support active recreation and recreational routes and an active transportation network that provide commuter connections, trips to schools and trips to key commercial and institutional destinations.

2.4.5.1.2 Develop a hierarchy of recreation trails to include:

Municipal-Wide Spine Routes

- *form the primary or main spines of the trail network;*
- *provide the connections to neighbouring municipalities and provide the most direct routes through Chatham Kent, and usually coincide with national, provincial or regional trails. Municipal-wide spine routes are the main connections between Chatham Kent's urban centres;*
- *clearly identified so that their continuity is maintained and easily recognizable, particularly through Urban Centres;*
- *connect to local routes and in some cases special use routes.*

Local Routes

- *provide connections to community destinations within the urban centres including parks, sites of heritage/cultural interest, schools, recreation centres etc.;*
- *may be more circuitous than the municipal-wide spine routes;*
- *form loops within the urban centres and/or provide links to the municipal-wide spine system and special-use routes.*

Special Use Routes

- *may be located in either the urban or rural areas of Chatham-Kent;*
- *located and designed in response to the need for exclusive or limited uses such as hiking, equestrian use and canoeing, and/or to respond environmental conditions of a particular location.*

It shall be the policy of Chatham-Kent that:

2.4.5.2.1 The Municipality shall develop a linked system of recreational trails and linkages comprising a combination of sidewalks, dedicated off-road paths and road rights-of-way. The system could include linking downtowns, residential neighbourhoods, parks and open spaces, riverfronts and lakefronts.

2.4.5.2.2 Recreational trails and linkages shall be permitted in all land-use designations. The location of the Trans Canada Trail through Chatham-Kent is shown on Schedule B and Schedule F1 to this Official Plan. Changes to this location shall be permitted to accommodate the actual on-ground route, without the need for an amendment to this Plan.

2.4.5.2.3 Utility corridors, abandoned rail lines, unused/unopened road allowances and other rights-of-ways could be utilized for recreational trails. The Municipality shall support and assist in the protection of abandoned rail lines, unopened road allowances and other linear corridors for off-road trails. The Municipality shall carefully consider the value that these corridors can have in the development of a connected trail network. On a case-by-case basis, the Municipality shall research, document and publicize the

opportunities and constraints related to each unused road allowance, abandoned rail line and other linear corridor prior to making the decision to dispose of these lands or declare "no interest" in retaining them for trails or other future transportation use. The Municipality shall consider the various means to protect and/or acquire such corridors.

2.4.5.2.4 Sidewalks, recreational trails, and active transportation networks shall be developed in new residential subdivisions. The Municipality shall require all proposed developments to include continuous sidewalks, walkways, and recreational trail facilities, as deemed appropriate. The Municipality shall encourage the implementation of such facilities as part of the "up-front" stages of construction whenever possible.

2.4.5.2.5 Private development shall be encouraged to provide facilities such as bicycle parking that are appropriately designed and properly located. Appropriately designed and properly located bicycle parking shall be required at all new municipal facilities. The Municipality shall undertake a program to provide appropriately designed and properly located bicycle parking at existing facilities.

2.4.5.2.6 The Chatham-Kent Trails Master Plan is a guiding document that provides the framework for the development and operation of a trail system in the Municipality. Figures 6-3 through 6-10 of the Chatham-Kent Trails Master Plan provide the location of existing and future trail routes throughout the Municipality. Changes to these locations shall be permitted to accommodate the actual on-ground route, and to respond to new opportunities that arise from time to time without the need for an amendment to this Plan.

2.4.5.2.7 Prior to the design and construction of a trail or related facility, design issues including land-use compatibility, safety and operational matters will be considered along with the cultural, scenic and other environmental attributes through which the designated routes pass. The Municipality shall consider the natural heritage and hazard policies of Section 4.0 and Section 7.1.3 of this Plan in the development of trails.

2.4.5.2.8 As part of daily business practice, the Municipality shall recognize that trails are for more than recreation, and that they have environmental, transportation, health and economic benefits.

2.4.5.2.9 The Municipality shall work collaboratively with other agencies and surrounding municipalities to plan for and develop trails and related facilities.

2.4.5.2.10 All "secondary plans" shall incorporate trail infrastructure that is consistent with the intent of the trail network as described in the Chatham-Kent Trails Master Plan and in accordance with the Municipal Sidewalk Policy.

2.4.5.2.11 Wherever possible, and in accordance with Section 4.0 and Section 7.1.3 of this Plan, linear park and open space systems create a significant opportunity

for the development of a linked trail system. Wherever possible, the creation of a continuous, linked open-space system utilizing linear parks in addition to more traditional block-shaped parks will be achieved by, but not limited to:

a) encouraging continuous, linked park and open-space systems in new subdivisions, including the acquisition of land through the development approvals process, where warranted;

b) striving toward a continuous park system along river valleys and tributary lands;

c) pursuing the potential use of hydro corridors, flood plains, wetlands, drainage courses, minor railway rights-of-way and similar features or facilities as linear parks; and

d) the use of negotiated conservation easements.

2.4.5.2.12 The Municipality shall routinely consider and wherever possible accommodate the needs of trail users in the design and construction of all infrastructure undertakings such as roadways, linear utilities such as hydro and pipeline corridors, bridges and underpasses, and crossings of physical barriers such as waterways, railways, existing and future highways.

2.4.5.2.13 All development applications, including, but not limited to, plans of subdivision, severances, plans of condominium, Official Plan Amendments, zoning by-law amendments and site plans shall be reviewed by staff to ensure that they are consistent with the Chatham-Kent Trails Master Plan and in accordance with the Municipal Sidewalk Policy.

2.4.5.2.14 It is recognized that trail routes located on private property will only be established and/or remain open with the approval of the property owner. Where critical missing links are needed to complete sections of the network and no public land exists, the Municipality shall consider other means of securing access such as land purchases, leases, easements, rights-of-way, dedications and any other applicable means.

2.4.5.2.15 Sidewalks, walkways and trails shall be integrated into the community mobility system and shall be designed to facilitate safe and accessible walking distances between residential uses, transit, schools, recreational facilities and commercial areas.

2.4.5.2.16 Street signage and pavement markings may be used to identify active transportation networks and recreational trails, particularly around elementary and secondary schools. The design of street signage provides opportunities for visual interest. Visually pleasing street signage draws user attention, provides clear information and instructions and presents a positive image of the community.

2.4.5.2.17 The Municipality shall work with the school boards and other agencies and community groups to promote and support school travel planning to support active transportation.

2.4.6 Utility and Communications Corridors and Transmission Facilities

Utility and communications corridors and transmission facilities include a wide variety of utilities owned and operated by both public and private entities, such as hydroelectric corridors, telecommunications networks and natural gas pipelines. From an environmental impact perspective, appropriate consideration is required in locating new facilities and expanding existing ones. Business enterprises have been significantly influenced by advances in modern telecommunications – high-speed Internet service, for example – and the continued planning and provision of high-quality telecommunications will be vital to the future success of business in Chatham-Kent.

It shall be the objective of Chatham-Kent to:

2.4.6.1 Encourage the development of modern transmission and communications facilities to serve residents and businesses in the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.6.2.1 Oil and natural gas pipelines and related facilities, electric power generation and supply facilities, telecommunications facilities and local utilities shall be permitted in any land-use designation, provided that the development satisfies applicable provincial and/or federal legislation.

2.4.6.2.2 Oil and natural gas pipelines, electric power transmission facilities and telecommunications facilities shall be constructed, maintained and operated to minimize their impact on adjacent land uses and the natural environment.

2.4.6.2.3 Adjacent development shall be set back at least 10 metres from the limits of all major pipelines, and designed to reflect appropriate safety standards.

2.4.6.2.4 All buildings intended for human occupancy shall be set back 20 metres from the centreline of high-pressure natural gas transmission lines. Public buildings such as schools, hospitals and nursing homes shall be set back 200 m from those lines.

2.4.6.2.5 The multiple use of corridors for utility and transportation uses shall be encouraged.

2.4.6.2.6 The development of high-volume telecommunications networks serving residents and businesses in the Municipality shall be encouraged. All telecommunications facilities, including satellite dishes, should be designed and located to minimize their visual impact on residential areas and natural areas.

2.4.6.2.7 Funding for community access centres and/or high-speed Internet service shall be pursued through provincial and federal government programs.

2.4.6.2.8 New subdivisions shall incorporate telecommunications facilities that support high-speed or broadband Internet. The Municipality shall encourage public utilities to provide high-speed Internet service to communities where it is not currently available, but where sufficient demand exists for the service.

2.4.6.2.9 Appropriate setbacks for development from electrical power, natural gas, telecommunication and utility corridors shall be established in the Municipality's Zoning By-law.

2.4.7 Wastewater Services

Municipal sewage systems exist in the seven Primary Urban Centres (Chatham, Wallaceburg, Ridgetown, Dresden, Blenheim, Tilbury and Wheatley). The Secondary Urban Centres comprise those communities that are currently serviced, or are planned to be serviced, by municipal sewage systems (i.e., Thamesville, Charing Cross, Merlin, Pain Court and Bothwell [planned] and Mitchell's Bay). The municipal sewage treatment systems in Chatham-Kent range from lagoons to activated sludge mechanical treatment plants. The Recreational Residential, Suburban Residential, Hamlet and Rural Settlement Areas, and development in the Agricultural Areas, are serviced by private sewage disposal.

It shall be the objective of Chatham-Kent to:

2.4.7.1 Ensure that cost-effective and adequate sewage treatment is provided to support, enhance and sustain existing and future residents and businesses in the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.7.2.1 All development and redevelopment in the Primary Urban Centres and all new development and redevelopment in the Secondary Urban Centres shall be connected to the municipal sewage treatment system.

2.4.7.2.2 Proposed development and redevelopment in Suburban Residential, Hamlet, Rural Settlement, Estate Residential, Recreational Residential, Mobile Home Park, Rural Industrial, Highway Commercial, Recreational, Extractive Industrial and Waste Management Areas that are serviced by private sewage disposal will demonstrate the suitability of the site for the proposed method of sewage disposal based on the proposed lot size to the satisfaction of the Municipality of Chatham-Kent and other approval agencies.

2.4.7.2.3 Communal sewage services will be discouraged and will only be permitted if, in the opinion of the Municipality, no other alternatives are available and such services:

(a) are financially viable and comply with all regulatory requirements; and

(b) protect human health and the natural environment.

2.4.7.2.4 The protection of surface and groundwater resources will be in conformity with the policies of Section 4 – Enhancing Our Natural Surroundings of this Official Plan.

2.4.7.2.5 The Municipality will maintain a capacity monitoring system for municipal sewage treatment systems.

2.4.7.2.6 Municipal sanitary sewage treatments facilities are identified on Schedules "A" and "E" Series – Land Use to this Official Plan. When considering appropriate buffer separation distances for development proposals near these facilities, in particular for sensitive land uses such as residential or institutional, regard for the Ministry of the Environment's "Guideline D-2 Compatibility between Sewage Treatment and Sensitive Land Use" guidelines, as amended from time to time, shall be required.

2.4.8 Water Services

Municipal water systems exist in the seven Primary Urban Centres, the five Secondary Urban Centres and the Hamlets. The Rural Settlement Areas are served by private water supplies. Several communities, including Louisville, Mitchell's Bay and Pain Court, are serviced by the Chatham water system. Bothwell is currently serviced via the West Lorne Water System in Middlesex County. Highgate and Ridgetown currently use groundwater as their water source; all other communities with municipal water supply utilize a lake-based surface water source. Substantial costs are involved in extending municipal piped water supply to new residential and non-residential development, in addition to addressing operational issues with the existing water system such as fire flow, odour, potential contamination concerns and water haulage to rural areas during dry conditions.

It shall be the objective of Chatham-Kent to:

2.4.8.1 Ensure that cost-effective and adequate potable water supply is provided to support, enhance and sustain existing and future residents and businesses in the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.8.2.1 All development and redevelopment in the Primary Urban Centres and all new development and redevelopment in the Secondary Urban Centres, Suburban Residential and Hamlet Areas shall be connected to the municipal piped water supply system.

2.4.8.2.2 Proposed development and redevelopment in Rural Settlement, Estate Residential, Recreational Residential, Mobile Home Park, Rural Industrial, Highway Commercial, Recreational, Aggregate Resources and Waste

Management Areas will be connected to the municipal piped water supply system if municipal water is available. If municipal water is not available, proposed development and redevelopment serviced by a private water supply will demonstrate the adequacy of the proposed supply to the satisfaction of the Municipality of Chatham-Kent and other approval agencies.

2.4.8.2.3 Communal water services will be discouraged and will only be permitted if, in the opinion of the Municipality, no other alternatives are available and such services:

(a) can be sustained by the water resources on which they rely;

(b) are financially viable and comply with all regulatory requirements; and

(c) protect human health and the natural environment.

2.4.8.2.4 The protection of surface and groundwater resources will be in conformity with the policies of Section 4 – Enhancing Our Natural Surroundings of this Official Plan.

2.4.8.2.5 The Municipality will maintain a capacity-monitoring system for municipal water supply systems.

2.4.9 Stormwater Management

In urban areas, impermeable surfaces such as building rooftops and parking lots reduce the ability of the land to absorb rainfall, and the speed at which water runs off the land is increased. The impact of this is often the flooding of adjacent development, and changes to adjacent watercourses such as erosion of banks. During heavy rain events, combined storm/sanitary sewers may overflow and by-pass treatment plants, causing untreated sanitary sewage to be discharged directly into watercourses. This impacts the quality of surface water and the natural environment.

It shall be the objective of Chatham-Kent to:

2.4.9.1 Apply a best management practices approach to stormwater management.

It shall be the policy of Chatham-Kent that:

2.4.9.2.1 All stormwater shall be managed onsite for new developments. No new development, excluding agricultural uses, shall have a negative impact on the drainage characteristics of adjacent lands.

2.4.9.2.2 Stormwater management facilities shall be designed to manage stormwater quality and quantity. The integration of natural vegetative features in new facilities shall be required, and the naturalization of existing stormwater management facilities is encouraged.

2.4.9.2.3 Watershed or Subwatershed Plans for their respective watersheds may be prepared in partnership with other agencies and the private sector. For proposed large-scale developments requiring a Secondary Plan for a new development area, the Municipality may require the preparation of a Subwatershed Study or Regional Stormwater Management Plan to:

a) provide an inventory of existing hydrology, hydrogeology, limnology, fish habitats and other natural environmental data;

b) establish water quality targets;

c) determine base flows to maintain water quality and existing ecological conditions;

d) recommend appropriate stormwater management techniques;

e) identify the conditions under which development may be permitted;

f) provide detailed guidelines for development design and construction; and

g) establish procedures for monitoring water quality and quantity before, during and after construction.

The Subwatershed Plan shall be prepared to the satisfaction of the Municipality, the Conservation Authority and other approval agencies.

2.4.9.2.4 Where a Subwatershed Plan is not required, the Municipality shall require the preparation of a Best Management Practices Report. Best management practice alternatives for stormwater quantity and quality enhancement shall be assessed with regard to the following:

a) location of stormwater management facilities with a preference for source controls rather than end-of-pipe controls;

b) impact of maintenance costs for wet or dry ponds and other stormwater management facilities; and

c) minimal disturbance of watercourses, treed areas and valleylands.

2.4.9.2.5 The Municipality shall, prior to the final approval of a development application, require the preparation and approval of a Stormwater Management Plan, which either implements the management concept of the Subwatershed Study, if prepared, or is in accordance with the Best Management Practices Report prepared for the applicable site. In the permit control area of a Provincial Highway, Stormwater Management Plans must be submitted to the Ministry of Transportation for their review.

2.4.9.2.6 The Stormwater Management Plan shall take into account the Ministry of the Environment Stormwater Planning and Design Manual. A Certificate of Approval under the Ontario Water Resources Act from the Ministry of the Environment shall be required for the proposed stormwater management works.

2.4.10 Allocation and Phasing of Services

It shall be the objective of Chatham-Kent:

2.4.10.1 To ensure the proper allocation and phasing of servicing for water and wastewater to ensure that municipal services proceed in a fiscally sustainable and cost-effective manner.

It shall be the policy of Chatham-Kent that:

2.4.10.2.1 Development proposals will be accompanied by a servicing review conducted by the proponent in consultation with the Municipality.

2.4.10.2.2 When treatment servicing capacity does not exist for a proposed development, the Municipality will defer the processing and granting of conditional draft approval of the planning application until sufficient uncommitted reserve treatment capacity is available, or until a construction contract is awarded for the creation of the needed treatment capacity, and a servicing agreement and securities are in place to ensure that such treatment capacity will be available to service the development within one year of the granting of conditional draft plan approval. Draft-approved plans of subdivision may only proceed to final approval and registration if sufficient uncommitted reserve treatment capacity continues to exist.

2.4.10.2.3 The following factors in establishing the phasing of development proposals in Primary and Secondary Urban Centres shall be considered:

a) The logical extension of municipal services that avoids, where possible, large undeveloped tracts of land between the existing developed area and the proposed development;

b) The maintenance of a compact form and pattern of development is maintained;

c) The cost effectiveness and fiscal sustainability of all municipal service extensions; and,

d) Reserving servicing capacity for redevelopment, infilling and intensification as a first priority.

2.4.10.2.4 Draft approval of plans subdivision shall not proceed to final approval unless there is sufficient capacity to service the proposed subdivision or systems are in place to provide capacity before final approval. When a draft

plan approval lapses, the Municipality may assign the servicing allocation to other developments or areas of Chatham-Kent, or hold the capacity in reserve.

2.4.10.2.5 Subject to the hierarchy of services provided in the policies of this Plan, when considering lot creation in areas on partial and/or private sewage systems, it must be confirmed that there are sufficient reserve sewage system capacity and reserve water system capacity within a municipal sewage treatment facility and/or a municipal water service treatment facility or private communal sewage service system and/or a private communal water service system. The determination of sufficient reserve sewage system capacity would include treatment capacity for hauled sewage from private communal sewage services and individual onsite sewage services.

2.4.10.2.6 The Municipality may insert a clause in the conditions of a development approval that reflect the policies of this section.

2.4.11 Waste Management

The management of solid waste generated by residences and businesses in Chatham-Kent requires human, land and energy resources. Reducing the volume of solid waste through the "Three R's" (reducing, reusing and recycling) will help to ensure a sustainable natural environment.

It shall be the objective of Chatham-Kent to:

2.4.11.1 Effectively and efficiently manage the solid waste generated in the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.11.2.1 Solid waste management shall include waste diversion (reducing, reusing, recycling), waste disposal and waste as a potential resource.

2.4.11.2.2 The establishment of new landfills or the expansion of existing landfills beyond their current designations shall require an amendment to this Official Plan.

2.4.11.2.3 The Municipality shall demonstrate leadership in solid waste reduction by considering such initiatives as:

a) providing collection of paper, glass, plastic and metal goods for recycling in all offices, cafeterias, recreation centres, etc.;

b) replacing or modifying existing public waste receptacles to accommodate glass, plastic and metal recyclables; and,

c) salvaging the useable parts from defunct computers, appliances, and other equipment before they are disposed.

2.4.11.2.4 A recycling collection box system shall be available throughout the Municipality.

2.4.11.2.5 Residential composting of vegetables, lawn clippings, etc. shall be encouraged.

2.4.11.2.6 The collection of large items such as appliances, furniture, mattresses, etc. shall be encouraged by providing curbside pick-up or drop-off locations. Whenever possible, material from these items shall be salvaged before they are landfilled.

2.4.11.2.7 The collection of household hazardous wastes shall be accommodated by maintaining hazardous waste drop-off locations at the Municipality's waste transfer facilities.

2.4.11.2.8 Whenever possible, methane or other greenhouse gas emissions from waste management operations shall be captured and used as an alternative energy source.

2.4.11.2.9 New waste processing facilities and transfer facilities shall only be permitted on industrial lands specifically zoned for waste transfer facilities.

2.4.11.2.10 Active and closed waste processing and waste disposal sites are identified on Schedules "A" and "E" Series – Land Use to this Official Plan. Development proposals on or within 500 metres of the perimeter of the fill areas of active and closed waste disposal sites will be accompanied by both a Planning Justification Study, and an Environmental Study, prepared by a qualified professional(s) on the proponent's behalf, which satisfies the Municipality and the requirements of the Ministry of Environment's latest guideline(s) related to land uses on or near landfills and dumps. The study is to ensure that potential impacts are identified, and if appropriate, to identify any mitigation measures that should be required. If Section 46, Approval of the Environmental Protection Act, is applicable or required, that approval must be sought and received before any planning approvals are granted by the Municipality. Development on and adjacent to the Ridge Landfill Site will be reviewed under the policies of both Section 2.4.11.2.10 and 2.4.12, Ridge Landfill, of this Plan.

2.4.12 Ridge Landfill

The Ridge Landfill is approved to receive solid waste from across Southwestern Ontario. In support of that approval, the following policies shall apply to the Ridge Landfill.

It shall be the objective of Chatham-Kent to:

2.4.12.1 Recognize the contribution of the Ridge Landfill to the economic base of the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.12.2.1 The Ridge Landfill shall be designated Waste Management Area, Conservation and Agriculture/Buffer Area on Schedule "A" Series – Land Use to this Official Plan.

2.4.12.2.2 Waste Management Area

The policies of this section are not intended to, and shall not be interpreted so as to, supplant, duplicate, override, interfere or conflict with acts, processes or approvals under, or with recourse to, any of the provisions of the Environmental Protection Act, the Ontario Water Resources Act, the Environmental Assessment Act, the Environmental Bill of Rights 1993, or subordinate legislation under those Acts.

2.4.12.2.2.1 The purpose of this designation is twofold:

a) To allow the Municipality to gather information, inform the public, participate effectively in provincial regulatory and environmental assessment and approval processes, and conduct municipal planning and regulation of waste management in the Ridge Landfill area, up to and beyond such time that the subject lands are fully utilized for waste management uses.

b) To complement and assist provincial regulatory decisions regarding waste management activities at the Ridge Landfill area, by clearly stating the Municipality's policies in this regard, and adopting a municipal development approval process under the Planning Act.

2.4.12.2.2.2 The goals of this designation are to:

a) Safeguard the environment, public health and safety and the interests of Chatham-Kent residents by ensuring that all environmental, social and financial impacts of waste management activities are sufficiently controlled or mitigated in a timely manner.

b) Contribute to the direction and structure for future municipal waste management programs by defining and describing the role of lands owned by the landfill operator surrounding the Ridge Landfill, and securing a landfill site well into the twenty-first century.

c) Reduce uncertainty for all parties with an interest in waste management, in particular the local residents who are most directly affected.

d) Ensure continuing public input and consultation.

e) Provide policy flexibility to accommodate future changes in technology and market demand.

f) Promote a streamlined decision-making process for new waste management activities.

g) Identify and promote community economic development and public interest opportunities arising from waste management activities.

h) Promote site and operational master strategies to avoid ad hoc waste management planning and development through emergency certificates of approval or other means.

2.4.12.2.2.3 The following definitions shall apply to the Ridge Landfill Site:

a) Most of the following definitions are based on those found in Ontario Regulation 347 of R.R.O. 1990 as amended, and the following Ministry of Environment Guidelines:

Guidance Manual for Landfill Sites Receiving Municipal Waste, November 1993
MOE Guideline D.4, Land Use On or Near Landfills and Dumps, April, 1994

The Municipality will endeavour to regularly review and amend these definitions in order to maintain conformity with the latest Ministry definitions.

i) C. of A.: Certificate of Approval, the permit issued by the MOE for the use, operation, establishment, alteration, enlargement or extension of a landfill or waste processing site. It is issued to the owner of the site with terms and conditions of compliance stated therein.

ii) EAA: Environmental Assessment Act

iii) EPA: Environmental Protection Act

iv) Fill Area: the area of a waste disposal site set aside for landfilling.

v) Hazardous Waste: any waste that is defined as hazardous to human health or the environment in Ontario Regulation 347 as amended.

v) Incineration: the controlled burning of solid waste for the purpose of waste destruction and/or achieving volume and weight reduction or to change waste characteristics.

vi) Landfilling: the disposal of waste by deposit on land under controlled conditions, compaction of waste into a cell and covering the waste with cover material at regular intervals.

viii) Master Plan: a plan prepared by a waste management area operator showing long-term site planning and operational strategies for lands owned by the operator, a subsidiary corporation or a person within the Municipality. The Master Plan is not considered a regulatory document, but simply a general statement of the intentions of the operator.

ix) MOE: Ontario Ministry of the Environment or its successor

x) OWRA: Ontario Water Resources Act

xi) Peripheral Area: the area controlled by a landfill operator between the boundary of a waste disposal site and the fill area. Together, the peripheral area and the fill area make up the waste disposal site.

xii) Post Closure: the stage of a closed landfill site and actions taken for the care, maintenance and monitoring of a site after closing.

xiii) Waste Disposal: the final disposal or depositing of waste at a site, not including the handling, storing, transferring, treating or processing of waste.

xiv) Waste Management: all facilities, equipment and operation for the complete management of waste including the collection, handling, transportation, storage, processing and disposal thereof.

xv) Waste Processing: the shredding, baling, pulverizing, composting, separating, or otherwise treating or altering of waste to facilitate further transfer, processing, utilization or disposal.

2.4.12.2.2.4 In the following section, policies for the Waste Management Area are provided for issues of land use, truck route, and lot creation. The land use policies are further divided to reflect the three different types of land use proposed—waste disposal, waste processing and post closure—and the implementation process.

2.4.12.2.2.5 The following land-use policies shall apply:

a) General

i) Prior to the establishment of a waste management activity, only agricultural uses will be permitted. Waste management uses should be planned to cause the least disruption to existing agricultural uses and facilities such as drainage tile.

ii) Residential uses, even if accessory to an agricultural use, will not be permitted.

iii) In the event that a waste disposal application fails either a provincial approval process or a rezoning application, the Municipality will undertake a review of its Waste Management Area policies and the extent of the designation.

iv) The policies of Subsection 2.4.11.2.2 are subject to the Environmental Act, the Ontario Water Resources Act, the Environmental Assessment Act, the Environmental Bill of Rights 1993 and subordinate legislation under those Acts. The provisions and policies are not intended to, and shall not be interpreted so as to, supplant, duplicate, override, interfere, conflict with or otherwise affect acts, processes or approvals under, or with recourse to, any of the provisions of the Environmental Assessment Act, the Environmental Bill of Rights 1993 or subordinate legislation under those Acts.

b) Waste Disposal

i) The following policies presume that waste disposal activities will be subject to an approval under the EAA. Should the MOE not require an environmental assessment, the Municipality may still direct the applicant to provide studies regarding environmental, financial and social impact.

ii) Notwithstanding Policy 2.4.11.2.2.5 b) i), the Municipality may support any waiving, shortening or expediting of the site selection component of any required environmental assessment process.

iii) Permitted waste disposal activities shall be limited to the landfilling of non-hazardous waste.

iv) Incineration of waste will not be permitted.

v) The expansion of a landfill site will only be permitted if the landfill operator can satisfactorily demonstrate to the Municipality that the design capacity of the existing landfill site will be reached in 10 years or less.

vi) For waste, the collection of which is the responsibility of municipal government, the Municipality will request that the C. of A. approval authority approve a service area that includes only municipalities with waste reduction programs satisfactory to the MOE.

vii) For waste, the collection of which is the responsibility of the private sector, the Municipality will request that the C. of A. approval authority approve only the disposal of waste that has already been processed for the purpose of diversion from the landfill.

viii) The landfill site will consist of a fill area and a peripheral area. The fill area is where actual landfilling activity is undertaken. The peripheral area will contain setbacks from other land-use designations, and will permit uses accessory to a landfill activity such as buildings, equipment and material storage, access roads, stormwater collection ponds, environmental remedial facilities (such as leachate collection and treatment), environmental monitoring systems and nuisance control measures.

ix) Access to a waste disposal area is permitted only from the Waste Management Truck Route.

c) <u>Waste Processing</u>

i) The following policies presume that waste processing activities may be subject to approval under the EAA. Should the MOE not require approval under the EAA, the Municipality may still direct the applicant to provide studies regarding environmental, financial and social impact.

ii) Notwithstanding Policy 2.4.11.2.2.5 c) i), the Municipality may support any waiving, shortening or expediting of the site selection component of any required environmental assessment process.

iii) It is intended that a wide range of waste processing and accessory uses be permitted, and that this policy be used to encourage the utilization of new technologies.

iv) Access to a waste processing area will be permitted only from the Waste Management Truck Route.

d) <u>Post Closure</u>

i) The following policies presume that post-closure activities will be subject to a C. of A. and that the MOE will have final approval of any end use on a closed landfill for a period of 25 years in accordance with Section 46 of the EPA.

ii) Initially, the principal post-closure use will be passive open space. However, uses that are compatible, or can be made compatible with neighbouring ongoing waste management activities and adjacent land-use designations (e.g., active recreational uses) will be permitted.

iii) Uses accessory to a neighbouring waste management activity will be permitted.

iv) Access to a closed landfill for uses not associated with a neighbouring waste management activity will only be permitted from Charing Cross Road.

Access for uses associated with a waste management activity will only be permitted from the Waste Management Truck Route.

e) <u>Implementation</u>

i) Initially, all lands within the Waste Management Area will be zoned to reflect existing use. Residential uses, permanent or seasonal, will not be permitted. Existing residential uses will be made non-conforming, and subject to the Non-Conforming Uses policies found elsewhere in this Plan.

ii) Expansion of an existing waste management use or establishment of a new one must comply with the Municipality's Zoning By-law.

iii) To be considered by Council, an application for rezoning must be accompanied by three documents:

1. A current Master Plan for all lands owned by the landfill operator.

2. A Traffic Impact Study based on terms of reference provided by the Municipality.

3. *An agreement whereby the proponent undertakes to pay all reasonable costs incurred by the Municipality for the processing of the application.*

iv) *Notwithstanding Policy 2.4.11.2.2.5 e) iii), Council may agree to waive one or all of the documents otherwise required, based on the scale and nature of the rezoning application.*

v) *Once the application has been accepted, the Municipality will consult with the MOE to ascertain which provincial approvals process will be followed, and will endeavour to dovetail the technical reviews and public consultation accordingly.*

vi) *Council will call for an initial public meeting to generally describe the proposal and the approval process.*

vii) *In reviewing the application, the Municipality will take the following actions:*

1. *Determine conformity with the Official Plan.*

2. *Ascertain all requirements for provincial approvals under the EAA, the EPA, the OWRA or other acts.*

3. *When a landfill expansion is the subject of the application, then decide if sufficient evidence has been provided by the proponent to indicate that the design capacity of the present landfill site will be exceeded within 10 years.*

4. *Consider whether experience with past waste management activities warrants alterations to safeguards concerning environmental, social or financial impact.*

5. *Consider whether the potential environmental, social or financial impacts of the proposed use warrant alterations to safeguards.*

6. *Consider whether or not to recommend that the application should be evaluated through a consideration of alternative sites.*

xiii) *The Municipality will prepare a planning report to be presented at a second public meeting, the purpose of which is to receive public input.*

ix) A Zoning By-law amendment will be prepared and may incorporate an "H" - Holding Zone provision in accordance with Section 36 of the Planning Act and the Holding Zone policies of this Plan.

x) The Statutory Public Meeting required by the Planning Act will be held to consider the rezoning. Council will approve, reject or defer the by-law.

xi) Once all conditions of the "H" - Holding Zoning have been met, the "H" will be removed upon application by the operator.

xii) The above process will be followed for all applications to expand landfill areas. However, for waste processing and post-closure uses, Council may decide to shorten the implementation process by waiving the first or second public meeting when, in its opinion, the scale or nature of the application so warrants.

xiii) The Waste Management Area will be subject to the site-plan control provisions of Section 41 of the Planning Act, (i.e., it is a proposed site-plan control area).

2.4.12.2.2.6 The following other policies shall apply:

a) <u>Waste Management Truck Route</u>

i) It is the intention of the Municipality and the Waste Management Area operator that all traffic destined for the Waste Management Area from the east, north and west use the route so designated on Schedule "B" Series – Arterial & Collector Road Network of this Plan, unless noted otherwise in other policies. For greater clarity, the route extends south on Highway 40 from its intersection with Highway 401 to its intersection with the Drury Line, west on the Drury Line across Kent Road 8 (Middle Line) to the Erieau Road, then south to the Allison Line.

ii) The Municipality will provide appropriate signage for roads under its own authority and negotiate with other road authorities to do the same.

iii) The Municipality will ensure that Waste Management Area traffic is monitored regularly and will take the appropriate action necessary to protect the safety of residents and landowners along the route and mitigate any negative impacts.

iv) By way of agreement, the Municipality and Waste Management Area operator will ensure that those roads on the designated route under municipal authority will be upgraded and maintained to the standard necessary for the type and volume of traffic generated by the Waste Management Area.

b) <u>Lot Creation</u>

i) Further lot creation, either by consent or by plan of subdivision, will not be permitted unless deemed necessary to implement a public initiative.

2.4.12.2.3 Agriculture/Buffer Area

2.4.12.2.3.1 The policy of the Municipality is to locate a buffer area to the greatest extent possible on lands owned by the waste disposal and processing operator.

2.4.12.2.3.2 The goals of this designation are to:

a) Provide a physical separation between the Waste Management Area and adjacent land uses; such separation is to occur primarily on lands owned by the waste disposal and processing operator.

b) Ensure compatibility of land uses in the buffer area with waste management area uses.

c) Confine all waste management and accessory uses to the Waste Management Area land-use designation. However, it is recognized that it is appropriate and necessary to locate certain accessory uses in the Agriculture/Buffer Area.

2.4.12.2.3.3 The following land-use policies shall apply:

a) The principal uses permitted will be agriculture and the agricultural policies found elsewhere in this Plan apply, subject to the exceptions found in the following policies.

b) New residential uses, even if accessory to an agricultural use, will not be permitted.

c) Permitted Uses Accessory to Waste Management Activities:

i) Installation of monitoring devices to measure groundwater quality, hydrogeological parameters, gas and leachate migration, surface water quality, air quality, etc.

ii) Implementation of remedial measures for the collection of contaminants.

iii) Nuisance control measures to mitigate noise, dust, odour, litter, vermin and vectors, and visual impacts created by adjacent waste management activities.

iv) Stormwater collection ponds.

v) For greater clarity, accessory uses not permitted include administrative and maintenance buildings, material storage areas, equipment compounds, and leachate treatment systems.

d) Access to the Waste Management Area through the Agriculture/Buffer Area will not be permitted except as noted in Policy 2.4.11.2.2.5 d) iv) of the Waste Management Area designation.

e) It is intended that the Agriculture/Buffer Area not be used for transportation routes for the transfer of materials within the Waste Management Area.

2.4.12.2.3.4 The following other policies shall apply:

a) <u>Lot Creation</u>

i) Further lot creation either by consent or by plan of subdivision will not be permitted unless deemed necessary to implement a public initiative.

2.4.12.2.3.5 The following implementation policies shall apply:

a) Initially, all lands within the Agriculture/Buffer Area will be zoned agricultural with the following provisos:

i) On those lands owned by the landfill operator, residential uses, permanent or seasonal, will not be permitted. Existing residential uses on these lands will be considered non-conforming and subject to the Non-Conforming Uses policies found elsewhere in this Plan.

ii) On those lands not owned by the landfill operator where there is no existing residential use, residential uses, permanent or seasonal, will not be permitted.

iii) On those lands not owned by the landfill operator where there is an existing residential use, residential uses are considered conforming and will continue to be permitted.

2.4.13 Airport

The Chatham-Kent Municipal Airport has a 5,038 ft. lighted, paved runway. The airport offers chartered rental and instruction services, and provisions for corporate aircraft. The airport is located south of the Chatham Urban Centre on the west side of Charing Cross Road.

It shall be the objective of Chatham-Kent to:

2.4.13.1 Support the continued development and expansion of air service in the Municipality.

It shall be the policy of Chatham-Kent that:

2.4.13.2 The Chatham-Kent Municipal Airport will be designated as "Airport" on Schedule "A" Series – Land Use to this Official Plan.

2.4.13.3 The main permitted uses shall be airport terminals and facilities for the movement, servicing and storage of commercial and private aircraft.

2.4.13.4 Secondary industrial and commercial uses ancillary to the airport or directly related to aviation and/or airports shall also be permitted as more specifically defined in the Zoning By-law.

2.4.13.5 The Municipality shall encourage an Airport Master Plan to address long-term air service needs and the appropriate mix of airport-related uses, among others.

2.4.13.6 To protect the Chatham-Kent Municipal Airport from incompatible development.

a) Development in the vicinity of the airport will be controlled to reduce the potential for land-use conflicts and to ensure that there will be no negative impacts on the long-term function of the airport.

b) Noise Exposure Forecasts (NEF) approved by Transport Canada will be used in evaluating new development proposals in proximity to the airport. New development contrary to provincial and federal policy in this regard will be prohibited.

c) New residential development and other sensitive land uses will not be permitted in areas near the airport above the 30 NEF contour as approved by Transport Canada.

d) Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above the 30 NEF contour, if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.

e) New development within areas up to the 30 NEF contour shall be regulated in accordance with the Transport Canada publication "Land Use in the Vicinity of Airports," as amended from time to time.

f) Notwithstanding other policies of this Plan, the height of buildings surrounding the airport will be restricted by regulations of the Zoning By-law and Transport Canada zoning, if applicable, to ensure a satisfactory level of safety for lands in the vicinity of the airport.

e) Notwithstanding other policies of this Plan, approval of a site-plan application to control landscaping and buildings may be required for any development within 1,500 metres of the airport to ensure that development does not impact the safe operation of the airport.

2.5 ENERGY

It is recognized that how energy is used and managed is directly linked to a healthy, reliable and sustainable energy future for Chatham-Kent. Therefore, the Municipality will endeavour to establish a long-term Municipal Energy Plan, which would guide Chatham-Kent's energy future for years to come.

It shall be the objective of Chatham to:

2.5.1 Endeavour to improve energy efficiency, reduce greenhouse emissions and foster local energy solutions in the Municipality.

It shall be the policy of Chatham-Kent that:

2.5.2.1 The Municipality will prepare a Municipal Energy Plan in collaboration with the Local Distribution Companies (LDCs) and other relevant agencies, stakeholders and First Nations in order to:

a) Evaluate and accurately measure energy consumption and greenhouse gas emissions across Chatham-Kent;

b) Identify solutions and an implementation strategy to improve energy efficiency and conservation;

c) Develop local priorities regarding energy infrastructure projects; and

d) Integrate energy conservation and sustainability into the planning process for future growth and development.

2.6 POTENTIALLY CONTAMINATED PROPERTIES

Potentially contaminated properties are properties where the environmental condition of the site (soil and/or groundwater) may have potential for adverse effects on human health, ecological health or the natural environment. To prevent these adverse effects, it is

important to identify these properties and ensure that these properties either do not require environmental remediation, or that they have been remediated and made suitable for the proposed land use(s). While the identification of potentially contaminated properties is important in the planning application review process, the policies in this section should not be interpreted as a commitment on the part of the Municipality of Chatham-Kent to identify all contaminated properties or sites. Rather, these policies should be regarded as an effort on the part of the Municipality to responsibly use available information in the planning application review process, in order to help ensure that development occurs only on sites where the environmental conditions are suitable for the proposed use of the site.

It shall be the objective of Chatham-Kent to:

2.6.1 Use available information in the planning application review process to help ensure that development occurs only on sites where the environmental conditions are suitable for the proposed use of the site.

It shall be the policy of Chatham-Kent that:

2.6.2.1 To assist in the determination of the potential for site contamination, the Municipality shall require development proponents to document previous uses of a property that are subject to a planning application and/or properties that may be adversely impacted by the property that is subject to a planning application.

2.6.1.2 For properties that have been identified through the planning application review process as potentially contaminated and where there is a land-use change proposed to a more sensitive use, the Municipality shall:

a) require verification to the satisfaction of the Municipality from a qualified person as defined by provincial legislation and/or regulations that the property or properties in question do not require remediation in accordance with provincial legislation and regulations, or the property or properties in question have been remediated and made suitable for the proposed use in accordance with provincial legislation and regulations, including where required by municipal policy or provincial legislation and/or regulations. This includes a filing by the owner of a Record of Site Condition (RSC) signed by a qualified person in the Environmental Site Registry and submission by the owner to the Municipality of proof that the MOE has acknowledged receipt of the RSC;

b) not consider an RSC as acknowledged by the MOE for the purposes of Section 2.6.2.1a) until either:

i) the MOE has confirmed that the RSC will not be audited; or,

ii) the MOE has confirmed that the RSC has passed the audit.

c) establish conditions of approval for planning applications to ensure that satisfactory verification of suitable environmental site conditions has been received pursuant to Section 2.6.2.1a);

d) where applicable, use the holding provisions by-law in accordance with the Planning Act to ensure that satisfactory verification of suitable environmental site conditions has been received pursuant to Section 2.6.2.1a).

2.7 CANNABIS PRODUCTION

In October 2018, Health Canada introduced Regulations to support the coming into force of the Cannabis Act. Regulations under the Cannabis Act establish the rules and standards that apply to the production, distribution, sale, importation and exportation of cannabis by federal license holders.

The Regulatory framework was built on existing Regulations for producers of cannabis for medical purposes, and extensive consultations undertaken with experts; patients and advocates; employers and industry; provinces, territories, and municipalities; Indigenous governments and representative organizations.

The Cannabis Act aims to accomplish the following goals: keep cannabis out of the hands of youth, keep profits out of the pockets of criminals, and protect public health and safety by allowing adults to access legal cannabis.

It shall be the objective of Chatham-Kent to:

2.7.1 Support and promote new industry as a cornerstone of economic development through diversification.

It shall be the policy of Chatham-Kent to:

2.7.2 Permit Cannabis Production Facilities within the Employment Area, Agricultural Area and Rural Industrial designations on Schedule "A" – Land Use and Schedule "E"– Land Use to this Official Plan.

2.7.2.1 The following land-use policies shall apply:

a) Facilities shall not be located within close proximity to sensitive land uses such as residential, institutional, open space, or as more specifically outlined in the Zoning By-law;

b) Construction of new facilities shall be subject to site plan approval, as outlined in the Site Plan Control By-law;

c) Facilities shall be located and designed in accordance with Federal regulations to mitigate potential impacts including light emissions, air emissions, odour, and so forth;

d) Only facilities registered or licensed by Health Canada are permitted.

2.8 COMMUNITY IMPROVEMENT

The Community Improvement provisions of the Planning Act give Chatham-Kent a range of tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation of Community Improvement Plans will provide Chatham-Kent with various powers to promote community improvement. This includes the authority to offer incentives to stimulate or leverage private and/or public sector investment.

It shall be the objective of Chatham-Kent to:

2.8.1 Maintain and promote an attractive, well-maintained and safe living and working environment through community improvement.

It shall be the policy of Chatham-Kent that community improvement will be accomplished through the:

2.8.2.1

a) ongoing maintenance, rehabilitation, redevelopment and upgrading of areas characterized by deficient, obsolete, or deteriorated buildings; land-use conflicts; deficient municipal hard services, social, community or recreational services; or economic instability;

b) establishment of programs to encourage private sector redevelopment and rehabilitation that addresses identified economic development, land development, environmental, housing, and/or social development issues and needs;

c) designation by by-law of Community Improvement Project Areas, the boundaries of which may be the entire Municipality of Chatham-Kent, or any part of the Municipality of Chatham-Kent; and

d) preparation, adoption and implementation of Community Improvement Plans, pursuant to the Planning Act.

2.8.2.2 The designation of Community Improvement Project Areas shall be based on one or more of the following conditions being present:

a) buildings, building facades, and/or property including buildings, structures and lands of heritage and/or architectural significance in need of preservation, restoration, repair, rehabilitation, or redevelopment;

b) non-conforming, conflicting, encroaching or incompatible land uses or activities;

c) deficiencies in physical infrastructure including, but not limited to, the sanitary sewer system, storm sewer system, and/or water-main system, roads, parking facilities, sidewalks, curbs, streetscapes, and/or street lighting;

d) poor road access and/or traffic circulation;

e) deficiencies in community and social services including, but not limited to, public open space, municipal parks, neighbourhood parks, indoor or outdoor recreational facilities, and public social facilities;

f) inadequate mix of housing types;

g) known or perceived environmental contamination;

h) poor overall visual quality, including but not limited to, streetscapes and urban design;

i) high commercial vacancy rates;

j) shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities;

k) other barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings;

l) any other environmental, social or community economic development reasons.

2.8.2.3 Community Improvement Plans shall be prepared and adopted to:

a) encourage the renovation, repair, rehabilitation, remediation, redevelopment or other improvement of lands and/or buildings;

b) encourage residential and other types of infill and intensification;

c) upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, water mains, roads and sidewalks;

d) encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally significant buildings;

e) encourage the construction of a range of housing types and the

construction of affordable housing;

f) improve traffic circulation within the Community Improvement Project Areas;

g) encourage off-street parking and provide municipal parking facilities where feasible and appropriate;

h) promote the ongoing viability and revitalization of the downtowns and main streets in the Primary and Secondary Urban Centres as the focus of pedestrian-oriented retail, civic, cultural, entertainment and government uses;

i) improve environmental conditions;

j) improve social conditions;

k) promote cultural development;

l) facilitate and promote community economic development; and

m) improve community quality, safety and stability.

(n) the redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy-efficient uses, buildings, structures, works, improvements or facilities.

2.8.2.4 Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to those areas where:

a) the greatest number of conditions (as established in Subsection 2.7.2.2) are present; and/or

b) one or more of the conditions (as established in Subsection 2.7.2.2) are particularly acute; and/or

c) one or more of the conditions (as established in Subsection 2.7.2.2) exist across the Municipality.

2.8.2.5 During the preparation of a Community Improvement Plan and any subsequent amendments, the public will be informed and public input will be obtained, in keeping with the policies contained in this Plan for notification and public meetings.

2.8.2.6 To implement Community Improvement Plans within designated Community Improvement Project Areas, the Municipality of Chatham-Kent may undertake a range of actions, including:

a) the municipal acquisition of land and/or buildings within Community Improvement Project Areas, and the subsequent:

i) clearance, grading, or environmental remediation of these properties;

ii) repair, rehabilitation, construction or improvement of these properties;

iii) sale, lease, or other disposition of these properties to any person or governmental authority;

iv) other preparation of land or buildings for community improvement.

b) provision of public funds such as grants, loans and other financial instruments;

c) application for financial assistance from senior-level government programs;

d) participation in any senior-level government programs that provide assistance to private landowners for the purposes of community improvement;

e) provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;

f) support of heritage conservation through the Ontario Heritage Act and the Heritage Advisory Committee;

g) supporting the efforts of the Chambers of Commerce and Business Improvement Associations to revitalize the downtowns and main streets in the Primary and Secondary Urban Centres, through the implementation of various programs including the Downtowns and Main Streets Program; and

h) encouraging off-street parking and providing municipal parking facilities where feasible and appropriate.

2.8.2.7 All developments participating in programs and activities contained within Community Improvement Plans shall conform with the policies contained in this Plan, the Zoning-By-law, Maintenance and Occupancy By-laws, and all other related municipal policies and by-laws.

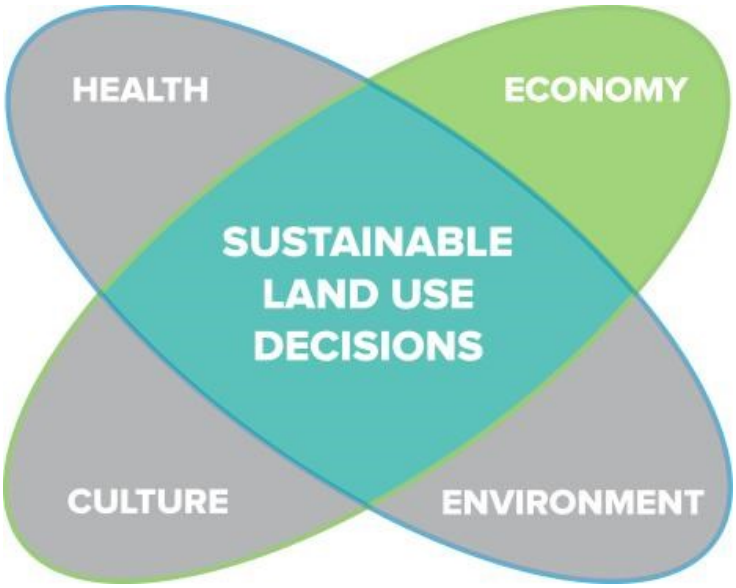
2.8.2.8 The Municipality of Chatham-Kent shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Municipality.

PART A SECTION 3

ECONOMY

3. ECONOMY

3.1 OVERVIEW



Chatham-Kent's Economic Development Strategy was developed in 2007 as a roadmap for the Municipality and its partners to encourage collaboration in order to create employment, encourage new investment and enhance the quality of life. A number of motivating factors were behind the completion of this strategy:

- *The desire to enhance Chatham-Kent's reputation as a proactive community that embraces partnerships with local and regional economic, social and business development organizations.*
- *The recognition that as senior governments continue to offload programs and responsibilities to the local level, municipalities will be under more pressure to ensure local economies are able to support more initiatives.*
- *Acknowledgement that the competition between municipalities for new investment, people and infrastructure is fiercer than ever.*

3.2 ECONOMIC DEVELOPMENT APPROACH

Based on the economic research and community consultation that was completed by the Municipality, the following target sectors have been identified:

- Diversified High-Value Agriculture
- Advanced Automotive Parts Manufacturing
- Business Process Outsourcing
- Next-Generation Energy

- Retail/Commercial
- Tourism

In addition, two foundation elements that affect each of the above sectors take very high precedence:

- Workforce Development
- Economic Development and Tourism Services Delivery.

3.3 ECONOMIC DEVELOPMENT FOCUS

Based on the Municipality's economic development approach and more targeted business planning exercises, economic development efforts to build a thriving Chatham-Kent economy will be achieved through the following programs:

1. Business Development

This program encompasses business attraction, retention and expansion.

The business attraction component will focus on prospecting new business and investment leads, developing business-to-business relations to generate referrals, maintaining a high standard of customer service and selling the benefits of Chatham-Kent. Target sectors include advanced manufacturing, alternative energy, agriculture diversification and value-added food processing, and education and business process outsourcing.

The business retention and expansion component will capitalize on the existing business base in the areas of advanced manufacturing, commercial and business processing, and agriculture by providing assistance to businesses within each target sector based on individual needs. Such assistance would come in the form of showcasing current businesses, seeking financial support from senior levels of government, promoting awareness of government programs, promoting and facilitating regional events and hosting information forums.

To successfully assist in implementing this program, the Municipality will fully utilize land-use planning tools and processes to plan for the appropriate, effective and efficient use of land and the necessary supporting infrastructural services through the Official Plan.

2. Commercial Services and Business Processing Operations

Commercial services in Chatham-Kent play a significant role in job creation through small business start-ups, attraction of new entrepreneurs and expansion of existing commercial businesses. The retail service/commercial sector is experiencing a rebound from the effects of the 2008 downturn in the global economy. To encourage momentum in this positive trend, the Municipality will continue to use land-use planning tools and strategies such as Community Improvement Plans and processes to partner, support and revitalize existing important commercial areas throughout Chatham-Kent.

3. Agriculture and Food Processing Sector

Food production and food processing has been, and continues to be, an integral part of the economic foundation of Chatham-Kent. The Municipality will continue to focus on growing and diversifying this important sector. The Official Plan will provide the policy environment that will identify Specialty Crop Areas and be supportive of the agricultural economy by assisting in the promotion of diversity in agriculture, such as greenhouse development, while safeguarding agricultural land and activities from incompatible uses, which jeopardize this industry's success.

4. Tourism

Chatham-Kent has a strong potential for tourism in a number of areas, predominantly related to its historical significance.

The land-use designations, policies and processes of the Official Plan are intended to provide sufficient development lands and infrastructure to support the implementation of these economic development objectives.

- Business Call Program (Business Retention):

  Implementing a Business Call Program to proactively establish relationships with a group of 45 leading companies in Chatham-Kent and selected smaller firms that demonstrate characteristics of rapid growth, strategic change or vulnerability.

- Investment Attraction Program (Business Expansion):

  Implementing focused marketing programs to attract new businesses targeting the following sectors:

- Public-Private Sector Coordination (External Networking):

  Establishing a public/private sector liaison coordinator responsible for external networking with both the provincial and federal governments regarding economic development-related funding programs, and private sector organizations regarding investment attraction and business retention.

- Partnering Through Special Projects (Community Outreach):

  Establishing partnerships with external groups to conduct scoping and first-step assessments of economic development ideas brought forward to Chatham-Kent to determine the need for and merit of more detailed analyses.

- Highway 401 Development Program (Utilizing Assets):

  The Municipality has established a municipally-owned business park in the Highway 401 Corridor at the Bloomfield Road interchange. The Municipality will continue to encourage the development of a tourism, retail and service commercial

node at Highway 401/Communication Road, consisting of the redevelopment of existing uses in that location.

3.4 OFFICIAL PLAN CONTEXT

The economic development initiatives and programs rely upon the Official Plan to provide a physical context for the planning and implementation of business opportunities in Chatham-Kent. A high quality of life depends on a diversified economic base and opportunities to earn a living wage. Along with creating safe and healthy communities and protecting the natural environment, this Official Plan facilitates public and private sector investment in land, roads and servicing infrastructure to create a diversified economic base in Chatham-Kent.

The policies in this section work in conjunction with the other policies in this Official Plan. Policies throughout the Plan provide opportunities to live and work in the same urban centre. Providing a variety of locations across Chatham-Kent for industrial and commercial development promotes a more equitable distribution of housing and job opportunities across the community. This enables employees to work in the Primary Urban Centres where they reside, enhancing their quality of life through reduced work travel time. The overall levels of travel are also reduced, which has clear environmental benefits.

The land-use designations and policies of this Official Plan are intended to provide sufficient development lands, infrastructure and flexibility to support the implementation of the economic development approach and targeted business planning objectives. General land-use designations with supporting policies have been prepared for the following targeted sectors: industrial, commercial, tourism/recreational and agriculture. The Urban Centre Plans for the Primary Urban Centres in Part B of this Plan contain more detailed designations and policies.

3.5 INDUSTRIAL DEVELOPMENT POLICIES

Based on the Phase 1 Comprehensive Official Plan Review Analysis, in accordance with historical industrial development trends, forecast demand for industrial land will be concentrated largely in the Urban Centres of Chatham, Wallaceburg and Tilbury, as well as the Bloomfield Business Park and rural employment areas along Highway 401. Accordingly, these areas were the focus of the industrial land needs analysis. For these areas, potential demand exists across a range of industrial sectors such as utilities, construction, warehousing, logistics, transportation, advanced manufacturing and agriculture-related. In addition, forecast demand for land-extensive uses related to renewable energy and greenhouses will continue to generate demand for industrial land for these areas, but will have limited impact on overall employment growth.

Modest demand for industrial land also exists within Chatham-Kent's remaining Primary Urban Centres and, to a lesser extent, the Secondary Urban Centres. Industrial land demand in these areas is anticipated to be geared toward land-extensive uses related to logistics, warehousing, transportation, energy and agriculture. As such, forecast industrial

employment growth is anticipated to be low for these areas and, accordingly, industrial land needs outside the Urban Centres of Chatham, Wallaceburg, Tilbury, the Bloomfield Business Park and the rural areas have been consolidated into two broader categories: Remaining Primary and Secondary Urban Centres.

Economic Development has also identified chemical processing for the production of various agriculture-related projects as a potential future opportunity. Given the nature of these types of uses, they would best be suited in areas currently designated as Agricultural in the Official Plan. Appropriate site selection and policy development for such uses would occur through a specific Official Plan amendment process and other applicable legislated environmental processes, should the opportunity arise.

Table 3.1 summarizes forecast industrial land demand for the Municipality over the 2011–2031 planning horizon. In accordance with the existing supply of developable vacant industrial lands and long-term demand, the Municipality as a whole has a significant oversupply of industrial lands to meet long-term needs to 2031 and beyond. A net surplus of 121 net hectares has been identified.

Table 3.1
Municipality of Chatham-Kent
Total Industrial Land Need (Demand vs. Supply), 2011–2031

	Net hectares
Net Industrial Land Demand	110.6
Net Industrial Land Supply	231.5
Net Industrial Land Surplus/(Shortfall)	120.9
Source: Watson & Associates Economists Ltd., 2012	

Notwithstanding this municipal-wide industrial oversupply, there are significant mismatches in supply and demand between each of the Municipality's key industrial growth areas. Each of these key industrial areas attracts different industrial markets given their location, access, proximity to surrounding employment markets and related employment clusters, character of the employment area and surrounding non-industrial uses. Similar to the residential land supply, it is not reasonable to treat all of Chatham-Kent's industrial areas as one homogenous regional market area. On this basis, a "policy land reserve," as described in Section 2 of this Plan, has been created to provide some degree of flexibility. The majority of the "reserved" land will serve as a reserve for future reallocation for employment purposes, based on the criteria identified in this Plan.

Table 3.2 summarizes forecasted industrial land demand for the Municipality according to key industrial area over the 2011–2031 planning horizon.

Table 3.2
Municipality of Chatham-Kent
Total Industrial Land Need (Demand vs. Supply) by Primary and Secondary Urban Centres, 2011–2031

Urban Centre	Total Industrial Land Demand	Net Industrial Land Supply (Ha)	Net Industrial Surplus/ (Shortfall) (Ha)	Gross Land Need[1] (Ha)
Chatham	24.4	119.9	95.5	-
Tilbury	12.2	30.2	18.0	-
Wallaceburg	14.6	4.1	(10.5)	14.0
Remaining Primary Urban Centres	**12.7**	**50.1**	**37.5**	**-**
Total Primary Urban Centres	**63.8**	**204.3**	**140.5**	**14.0**
Bloomfield Business Park	35.1	27.2	(7.9)	10.6
Total Secondary Urban Centres	**7.4**	**-**	**(7.4)**	**9.8**
Remaining Rural	**4.3**	**-**	**(4.3)**	**5.7**
Chatham-Kent	**110.6**	**231.5**	**120.9**	**40.2**

Source: Watson & Associates Economists Ltd., 2012
1. Based on 75% net to gross ratio.

It shall be the objective of Chatham-Kent to:

3.5.1.1 Encourage and accommodate economic activities that contribute to the protection and strengthening of the industrial land base in the Municipality.

3.5.1.2 Encourage private sector investment/reinvestment in the reuse/redevelopment of underutilized and/or abandoned brownfield industrial lands in the Primary and Secondary Urban Centres for other viable non-industrial uses.

It shall be the policy of Chatham-Kent that:

3.5.2.1 Primary and Secondary Urban Centres and the Highway 401/Bloomfield Road interchange shall be the focal areas for serviced industrial development in Chatham-Kent. Some industrial development may also be permitted in selected Hamlets and Rural Settlement Areas subject to policies in this Official Plan.

3.5.2.2 Lands planned for industrial development within designated Primary Urban Centres shall be appropriately designated on the Land Use Schedule for the applicable Primary Urban Centre. Those Land Use Schedules shall be read in conjunction with their respective planning policies in the Part B Urban Centre Plan and the general policies in Part A of this Official Plan.

3.5.2.3 Rural Industrial Areas located outside of the growth centres shall be designated Rural Industrial Area on Schedule "A" Series – Land Use to this Official Plan.

3.5.2.4 Industrial development shall include light industrial, office, research and development and general industrial uses. In addition, accessory service, wholesale and office uses serving the industrial area shall be permitted.

3.5.2.5 General industrial uses may include recycling industries. Waste management and disposal businesses dealing with the recycling of paper, wood and inorganic waste may be permitted in areas designated for industrial development subject to the following:

- ***a) no chemical processing including bleaching or diluting;***
- ***b) low water usage;***
- ***c) the specific sites are large enough to permit adequate landscaping or buffering of outside storage and operations;***
- ***d) full screening of outside storage;***
- ***e) the organization of outside storage to provide breaks to prevent fire hazards; and***
- ***f) the operation conforms to all other municipal and appropriate Ministry requirements and bylaws.***

3.5.2.6 Waste management businesses dealing with the waste composting of organic material may be permitted in areas designated for industrial development subject to the following:

- ***a) the operations must be in-vessel or in-building without outdoor storage;***
- ***b) the operations will use the most current technology available to minimize the emission of odours and other emissions;***
- ***c) the operator shall at all times retain or employ properly trained staff;***
- ***d) the site operations shall be subject to site-plan control; and***
- ***e) the operations shall conform to all other municipal and appropriate Ministry requirements and by-laws.***

3.5.2.7 The management and disposal of chemical or medical waste, radioactive waste or other hazardous waste shall require a site-specific Official Plan Amendment.

3.5.2.8 In planning for industrial development, the Municipality shall:

a) direct industrial traffic away from residential neighbourhoods wherever practical;

b) establish a transition in industrial zones and regulate permitted uses, lot coverage, building heights, building setbacks, parking and outdoor storage in the implementing Zoning By-law to address land-use compatibility issues with adjacent non-industrial uses; and

c) through site-plan control processes, encourage attractive building and landscape design and screening or buffering.

3.5.2.9 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

3.5.2.10 Proposals to either establish new industrial areas or expand existing industrial areas will require an Official Plan Amendment, which will be reviewed under the policies of Section 2.3.6.2.13 and Section 6.3.3.10 of this Plan.

3.5.2.11 Proposals to either develop vacant designated industrial lands or reuse/redevelop underutilized or abandoned industrial lands for non-industrial uses shall require an amendment to this Official Plan. A Planning Justification Report shall be required documenting the following:

a) there is a demonstrated need for the proposed land use based on municipal 20-year growth projections;

b) there is not sufficient and/or appropriate designated land supply to accommodate the proposed land use;

c) there are no reasonable alternative locations for the proposed land use taking into account the impacts on the natural environment, road and infrastructure servicing and other municipal services; and

d) the impacts from the proposed land use on adjacent lands can be mitigated.

3.5.2.12 Applications to amend this Plan to redesignate vacant designated industrial land for other uses shall be subject to the following considerations:

a) the application complies with the other applicable policies of the Plan;

b) it can be demonstrated that the redevelopment would facilitate the reuse of a brownfield site; and

c) where such redesignation can be supported by a Planning Justification Report demonstrating that there are sufficient designated industrial lands remaining in the Municipality to meet its projected employment needs, or that other appropriate land can be redesignated for industrial purposes to replace the land proposed for redesignation.

3.5.2.13 The individual land uses within industrial areas shall be separately zoned in the implementing Zoning By-law for Chatham-Kent. The provisions in the Zoning By-law shall include permitted land uses, building setbacks from property lines, onsite parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements and lighting control requirements.

3.5.2.14 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the particular Industrial Area.

3.5.2.15 Encourage industrial developments to be accessible by recreation trails and/or an active transportation network to enable employees to engage in active transportation to and from places of work, where possible.

3.6 BUSINESS PARK POLICIES

Chatham-Kent is establishing an economic gateway into the Municipality in the Highway 401 Corridor. The Highway 401/Bloomfield Road Business Park is a full, municipally serviced prestige business park in the Highway 401 Corridor, which will enable Chatham-Kent to be competitive with other corridor municipalities in the industrial land market.

It shall be the objective of Chatham-Kent to:

3.6.1.1 Establish a prestige business park at Highway 401/Bloomfield Road as a landmark use at the western gateway/entranceway into Chatham.

3.6.1.2 Establish a prestige business park that is visually attractive, distinctive, accessible and functional.

3.6.1.3 Ensure that the business park works to complement and support the concept of strong and viable Primary Urban Centres in Chatham-Kent.

3.6.1.4 Ensure that the business park uses are compatible with the agricultural community and the surrounding land uses.

3.6.1.5 Mitigate any impacts that the business park may have on the agricultural and rural communities.

It shall be the policy of Chatham-Kent that:

3.6.2.1 The Business Parks shall be designated on Schedule "A" Series – Land Use to this Official Plan.

3.6.2.2 The Municipality is developing the Bloomfield Road Business Park at the Highway 401/Bloomfield Road interchange. Those lands are designated as a Business Park and Future Development Area (overlay designation) on Schedule "A" Series – Land Use to this Official Plan.

3.6.2.3 The Business Park designation means that the predominant land use is low intensity, industrial, advanced technology, office and business support uses within a comprehensively planned business park setting. The business park will be characterized by free-standing, low profile, visually attractive buildings on individual, attractively landscaped lots in a planned subdivision. Business parks will have the highest standard of development and urban design of all industrial areas in Chatham-Kent.

3.6.2.4 The main permitted uses within the Business Park designation shall include light industrial uses that involve assembly, fabrication, manufacturing, printing, packaging, distribution, storage and/or warehousing within wholly enclosed buildings; business support services; advanced technology industries; research and development facilities; customer contact call centres; and business and professional offices.

3.6.2.5 Ancillary showrooms and retail and wholesale uses to the main permitted use shall be permitted.

3.6.2.6 Secondary permitted uses within the Business Park Area shall include restaurants, financial institutions, service commercial, commercial recreational facilities, trade schools, hotels, motels, conference facilities, meeting/banquet facilities, theatre/entertainment uses and police, fire or ambulance facilities.

3.6.2.7 Secondary uses shall be subject to the following criteria:

- ***a) They shall be located in proximity to Bloomfield Road; however, access shall be provided via new major collectors or minor collectors. There shall be no direct access to Bloomfield Road;***

- ***b) The proposed uses shall be compatible with existing and planned uses in the Business Park Area;***

c) When a development proposes facilities designed to accommodate a variety of separate uses such as an industrial mall, no more than 50% of the gross floor area of the development shall be utilized for secondary uses; and

d) The existing truck transport and vehicle, truck and industrial equipment sales and service uses that are located at Highway 401/Bloomfield Road shall be permitted to continue on their subject properties.

3.6.2.8 Development within the Business Park Area shall be by plan of subdivision and area-specific rezoning and serviced with municipal water, sanitary sewerage and stormwater management facilities.

3.6.2.9 The relocation of Seventh Line West and improvements to the Highway 401/Bloomfield Road interchange and the Bloomfield corridor (i.e., widening), attributable to the Bloomfield Business Park, are acknowledged as a responsibility of the Municipality. Future construction by the Municipality for the realignment of Seventh Line West, including improvements to the Bloomfield Road interchange and the Bloomfield Road corridor, would proceed under the applicable Municipal Engineer's Association (MEA) Class Environmental Assessment subject to the requirements and triggers identified in the Traffic Impact Study and subsequent amendments prepared for the Bloomfield Business Park and in accordance with an agreement to be entered into with the Ministry of Transportation (MTO). The agreement will include an appropriate cost-sharing allocation between the MTO and the Municipality as appropriate. Exhibit 5-11 to the MTO's 2008 Preliminary Design Study and Transportation Environmental Assessment (PDR and TESR - GWP 80-00-00) shows the EA responsibility of the MTO and the Municipality for the proposed works at the Bloomfield Road interchange. It is acknowledged that should MTO require improvements to the Bloomfield Road interchange following receiving Environmental Assessment approval for the proposed improvements to Highway 401 within Chatham-Kent, but prior to the Municipality's Bloomfield Business Park development triggering the realignment of Seventh Line West or development of the portion of the Bloomfield Business Park east of Bloomfield Road, then:

a) The MTO would construct the realignment of Seventh Line West or other improvements required in accordance with the Municipality's approved MEA Class Environmental Assessment and in accordance with a cost-sharing agreement developed between the Municipality and the MTO.

3.6.2.10 As set out in Section 3.6.2.9, the Municipality has completed the MEA Class Environmental Assessment for the realignment of Seventh Line West and the east Bloomfield Business Park access. Seventh Line West shall be the major road system for the business park and shall be realigned to connect to Bloomfield Road as shown as the Preferred Alternative in the Seventh Line

West, Class Environmental Assessment Project File Report, February 2014. The realigned Seventh Line West shall be classified as a collector road. Reference should be made to the Seventh Line West, Class Environmental Assessment Project File Report, February 2014, for the specific location, right-of-way width and preliminary design parameters when applying the policies of this Plan to any future development applications and/or planning decisions.

3.6.2.11 The alignments and right-of-ways for the new collector roads shall be further defined and protected through the plan of subdivision process as the host lands come on-stream for development, as applicable.

3.6.2.12 A Stormwater Management Plan shall be prepared by the Municipality to identify the overall stormwater management system for the Business Park including the preferred general location(s) of stormwater management pond(s). Lands for stormwater management pond(s) shall be protected through the plan of subdivision approvals process. Applications for plans of subdivision shall require the preparation of Stormwater Management Plans as a condition of draft approval.

3.6.2.13 Development within the Business Park Area shall be subject to zoning regulations to control the scale of development in the park (i.e., permitted uses, minimum frontage, minimum lot depth, minimum lot area, maximum building height, maximum coverage, storage, etc.) and site-plan approval to control the location of buildings, structures, service facilities, driveways, parking and loading areas, walkways, lighting, fencing and landscaping on the individual development sites.

3.6.2.14 Development within the Business Park Area shall have regard to the Master Development Plan for the Highway 401/Bloomfield Road Business Park. The Master Development Plan comprises a development concept and built form and site planning and design guidelines to guide the public sector investment in roads and servicing infrastructure and private sector investment in lands and buildings in the business park. Development shall consider the design goals, objectives, vision, principles and guidelines articulated in the Master Development Plan for the Highway 401/Bloomfield Road Business Park. The intent of the Master Development Plan is to establish a high quality of built form and landscape design of development in the Business Park.

3.6.2.15 The highest standard of built form and landscape design shall be applied on the sites with direct visibility and exposures to Highway 401 and Bloomfield Road. No outdoor storage shall be permitted on those sites. Outdoor storage that is visually screened by landscaped berms and fencing shall be permitted in the rear yards of the internal lots. Notwithstanding the aforementioned, it is recognized that truck and trailer units are parked in all yards of the existing truck transport and truck sales uses located at Highway 401/Bloomfield Road as part of their business operations.

3.6.2.16 ***Where lands in the Business Park Area are owned by the Municipality of Chatham-Kent, the site-plan approval process shall be used to ensure that any terms or conditions pertaining to such matters as colour, texture, type of exterior materials, window detail and architectural detail of any buildings, which were agreed to at the time of sale to the purchaser, are complied with on the final site plans.***

3.6.2.17 ***Any expansion to the existing Business Park Area shall be evaluated based on the following:***

a) ***the need to replenish the 20-year supply of vacant land designated as a Business Park Area and industrial lands in the Highway 401 Corridor;***

b) ***the compatibility of the proposed Business Park expansion area on the surrounding land uses;***

c) ***the impact of traffic from the proposed Business Park expansion area on the boundary and internal road system;***

d) ***the adequacy of water, sanitary sewerage, stormwater management and utilities to service the proposed Business Park expansion area;***

e) ***regard to the Provincial Policy Statement in relation to such matters as the 20-year demand for employment lands in the Highway 401 Corridor, the taking of prime agricultural lands out of production, compliance with the Minimum Distance Separation requirements (MDS I and MDS II), impact on the natural environment, etc.***

f) ***the application for an Official Plan Amendment to redesignate the subject lands to Business Park is supported by a plan of subdivision showing how the lands will be comprehensively developed.***

3.6.2.18 ***The Municipality shall monitor on an annual basis the need to replenish through additional land designation the supply of vacant, designated Business Park and industrial lands in the Highway 401 Corridor in order to maintain a 20-year supply in the corridor.***

3.6.2.19 ***The Business Park objectives and policies in this Plan shall be implemented by means of plans of subdivision and associated subdivision agreements, zoning by-law amendments, site plans and associated site plan agreements.***

3.6.2.20 ***The following policies shall apply to the lands within the Future Development Area overlay designation associated with the Highway 401/Bloomfield Road Business Park:***

a) ***A Future Development Area overlay designation has been applied to the lands located immediately west of the initial phase of the***

Bloomfield Road Business Park and on the northwest quadrant of the Highway 401/Bloomfield Road interchange. Those lands are considered to be appropriate for inclusion in the subsequent phase(s) of development of the Business Park based on satisfying the criteria for expansion of the business park contained in Policy 3.6.2.17 of this Official Plan.

b) Until the lands within the Future Development Area overlay designation are redesignated to Business Park on Schedule "A" Series – Land Use formal amendment to this Official Plan, the underlying Agricultural Area designation and associated policies shall apply to the subject lands.

3.7 RURAL INDUSTRIAL POLICIES

There are a number of rural industrial clusters located in the rural area of Chatham-Kent. While these industries are non-agricultural in nature, they do contribute to the Municipality's economic base.

It shall be the objective of Chatham-Kent to:

3.7.1.1 Recognize existing rural industrial uses and areas that contribute to the economic base of the Municipality.

3.7.1.2 Encourage new industrial opportunities that are not related to agriculture to the existing industrial areas in the Primary and Secondary Urban Centres and Hamlet Areas.

It shall be the policy of Chatham-Kent that:

3.7.2.1 Rural Industrial Areas shall be designated on Schedule "A" Series – Land Use to this Official Plan.

3.7.2.2 Lands within the Rural Industrial designation are intended for dry industrial development based on private water supply and/or sewage disposal services including light manufacturing industries and service-related industrial firms.

Cannabis production will be a permitted use in accordance with Health Canada regulations and in conformity with the policies of Section 2.7 of this Plan.

3.7.2.3 This designation includes compatible institutional uses, ancillary commercial or other uses that are accessory to industrial operations or deemed suitable in an industrial area such as offices, restaurants and residences for caretakers or essential workers required for an industrial use on the same site. Except for dwellings for essential workers as set out above, this designation excludes new dwellings.

3.7.2.4 ***For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.***

3.7.2.5 ***Only non-effluent producing dry industries, which require water primarily for the use of onsite employees, shall be permitted within Rural Industrial Areas.***

3.7.2.6 ***It is intended that industries requiring significant amounts of water as a component of their industrial processes be encouraged to locate in nearby Primary and Secondary Urban Centres where adequate municipal piped services are available.***

3.7.2.7 ***Rural industrial sites shall be developed to minimize potential conflicts with surrounding land uses. Circulation shall be designed to minimize penetration of industrial traffic into or through residential areas. Industrial development located near residential uses shall be limited to light manufacturing activity and service-related industries with higher performance standards to minimize incompatibility with residential uses. Rural industrial uses should have direct access to an arterial or collector road and should be sited in such a manner as to facilitate easy vehicle access.***

3.7.2.8 ***No uses shall be permitted which, by nature of the processes or materials used, are declared by the Municipality to be noxious under the Health Protection and Promotion Act as amended.***

3.7.2.9 ***Permitted rural industrial uses shall minimize smoke emissions, noise, odours or other forms of pollution. The appropriate standards and requirements of the Ministry of the Environment shall be the minimum acceptable standard.***

3.7.2.10 ***Sufficient off-street parking shall be provided to accommodate employees, visitors and customers. Access points to parking facilities shall be limited in number and designed in a manner that will minimize the danger to vehicular and pedestrian traffic.***

3.7.2.11 ***Off-street loading facilities shall be provided to minimize traffic congestion in Rural Industrial Areas.***

3.7.2.12 ***Adequate land area shall be preserved to permit a buffer strip between Rural Industrial Areas and any adjacent residential uses or areas. The buffer strip should consist of plantings, solid fences, a landscaped berm or any combination of these.***

3.7.2.13 ***Outdoor storage shall be confined to areas removed from residential uses. In all cases, where outdoor storage is permitted, it shall be screened from public***

view by plantings, fences, buildings or landscaped berms, and should wherever possible be located in the rear yard.

3.7.2.14 Proposals to either establish a new Rural Industrial Area designation or expand an existing Rural Industrial Area will be reviewed under the policies of Section 6.3.3.10 of this Plan.

3.7.2.15 Rural industrial development shall be serviced by a private water supply and/or sewage disposal system. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

3.7.2.16 Rural industrial development shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

3.7.2.17 The individual land uses within Rural Industrial Areas shall be separately zoned in the implementing Zoning By-law for Chatham-Kent. The provisions in the Zoning By-law shall include permitted uses, building setbacks from property lines, onsite parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements and lighting control requirements.

3.7.2.18 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the particular Rural Industrial Area.

3.7.2.19 The Rural Industrial Area designation shall be subject to site-plan control.

3.8 COMMERCIAL POLICIES

A Retail Commercial Systems Study was undertaken to project Chatham-Kent's future retail space requirements and to identify the most appropriate blend of commercial activities to best satisfy community needs and complement existing commercial operations. The study focused on the Chatham Urban Centre, based on the assumption that the majority of the projected growth in Chatham-Kent over the next 20 years will occur in Chatham.

An analysis of commercial space in the Chatham Urban Centre found the following:

Chatham (2003) has approximately 2.73 million sq. ft. of retail commercial space distributed as follows:

Type of Space	Amount	% of Total
Supermarket & Specialty Food	286,800 sq. ft.	10.5%
Department Store & Specialty (DSTM)	975,300 sq. ft.	35.7%

Home/Auto Supply & Tires/ Batteries/Accessories	102,200 sq. ft.	3.7%
Home Improvement-Related Merchandise	40,000 sq. ft.	1.5 %
Restaurants, Bank/Trust, Liquor/Beer/Wine Personal Services, Other Services	1,010,300 sq. ft.	37.0%
Vacancy	233,700 sq. ft.	8.6%
Other Retail	26,500 sq. ft.	1.0%
Second-hand Goods	53,900 sq. ft.	2.0%
Total	2,728,800 sq. ft.	100%

The Retail Commercial Systems Study concluded the following:

- The short- to medium-term residual demand (5 to 10 years) for commercial space is influenced less by population growth and more by reducing the number of Chatham residents going to Windsor and London to shop and by increasing the number of Chatham-Kent residents coming to Chatham to shop.

- The vacant commercial-designated lands available for development in Chatham are more than two times the amount required based on residual demand for commercial space in the Municipality.

- The amount of Specialty Department Store-Type Merchandise/Non-Department Store portion of DSTM (general merchandise, drugs and cosmetics, apparel and accessories, hardware and home furnishings, durables, semi-durables) in approved or proposed commercial developments would exceed the specialty DSTM residual demand in the short-to medium-term.

- Additional commercial-designated lands are not required in Chatham-Kent unless development proponents can present compelling reasons why prospective retail tenants will not locate on existing designated lands.

- A large-scale home improvement centre is warranted due to the high levels of Home Improvement Related Merchandise expenditures flowing out of Chatham-Kent to London, Windsor and Sarnia.

- There are two options for locating anchor stores in Chatham:

    - distributing the retail opportunities across the Chatham Urban Centre to prevent any one commercial node from becoming so dominant that other existing nodes are unable to compete effectively; or

- concentrating retail opportunities in a single node that would create synergies through a comprehensive array of new-format stores.

- New retail commercial uses are needed in Chatham-Kent to stem the outflow of shopping dollars to commercial areas in Windsor and London.

- Not all commercial-designated lands in Chatham can proceed in the medium- to long-term, and lands seeking new commercial designations are competing with lands that are already approved for commercial development.

- The London and Windsor markets will continue to attract shopping dollars from Chatham-Kent, even as the local area achieves the threshold population levels necessary to support the location of certain new format box stores in the community.

- Development of a retail structure that reduces the outflow of shopping dollars from Chatham-Kent should be a key objective of the commercial policy review.

The Retail Commercial Systems Study recommended the following:

- A distributed retail commercial structure rather than a concentrated structure with one dominant retail commercial node should be the working premise behind the review of the planning options for locating anchor stores.

- Urban areas on full municipal services should be the preferred locations for commercial development/redevelopment rather than unserviced greenfield areas.

- The cap on District Commercial centres should be increased consistent with current retail trends.

- No new commercial designations should be approved until the commercial policy review is completed.

Based on the findings of the Retail Commercial Systems Study, a commercial policy review was undertaken with commercial policies being added to this Official Plan.

The Phase 1 Comprehensive Official Plan Review Analysis, along with updated population projections and an update of the 2003 Retail Commercial Systems Study to determine the current commercial land needs, resulted in the following key findings:

- The updated demand for retail and selected commercial building space over the 20-year planning horizon (2011–2031) is estimated to range between 215,000 and 260,000. This forecast is lower than the previous 2003 Retail Commercial Systems Study, given the lower projected population growth.
- During the same time period, additional commercial space is expected to come on-stream in Chatham, including:

i) The uptake of approximately 95,000 sq. ft. of vacant building space (vacancy uptake); and

ii) Additional square footage associated with the existing Power Centre.

Overall, the calculated difference between the forecasted commercial demand and available supply results in a supply surplus of up to 18 hectares by 2031. Therefore, additional commercial lands are not required in the Chatham Urban Centre.

While the 2003 Retail Commercial Systems Study (updated in 2012) does not explicitly provide a projection of commercial employment beyond the Chatham Urban Centre, the Phase 1 Comprehensive Official Plan Review Analysis provides an allocation of commercial and institutional employment growth for the Primary Urban Centres outside Chatham and a total for the Secondary Urban Centres, as summarized in Table 3.3.

Table 3.3
Municipality of Chatham-Kent
Summary of Commercial Land Needs for Primary Urban Centres (Excluding Chatham) and Secondary Urban Centres, 2011–2031

Urban Centre	Demand			Supply (Ha)	Net Surplus/ (Shortfall) (Ha)
	Commercial Employment Forecast 2011–2031	Gross Floor Area (GFA)[1]	Land Area[2]		
Primary Urban Centres (Excluding Chatham)	155	85,250	3.2	5.9	2.7
Total Secondary Urban Centres	21	11,550	0.4	-	(0.4)

Source: Watson & Associates Economists Ltd. 2012
1. Assuming 550 square feet per employee
2. Based on 25% coverage

The results of this analysis indicate that there is an oversupply of vacant commercial lands within the Primary Urban Centres outside Chatham. Yet, the supply of vacant commercial space in the Secondary Urban Centres is very limited, which results in a small commercial land shortfall for this area. However, the analysis did not include potential commercial uptake in vacant building space outside Chatham or intensification opportunities. Assuming a small provision for uptake of vacant building space, it is assumed that the Secondary Urban Centres will be able to accommodate the nominal commercial land needs forecast.

3.9 HIGHWAY COMMERCIAL POLICIES

Highway commercial uses are located along major arterial roads within the Primary and Secondary Urban Centres and along highways in the rural areas of Chatham-Kent. These

uses cater to and need to be highly visible to the traveling public and include uses such as service stations, gas bars, vehicle wash facilities, restaurants, hotels, motels, vehicle repair facilities and truck stops. These uses contribute to the economic base of the community. The intention of this Official Plan is to recognize these uses and manage their location along major roads and highways.

It shall be the objective of Chatham-Kent to:

3.9.1.1 Encourage and accommodate highway commercial activities that contribute to the economic base in the Municipality.

It shall be the policy of Chatham-Kent that:

3.9.2.1 The major arterial roads and highways within the Primary and Secondary Urban Centres and the rural areas of the Municipality shall be the focal points for highway commercial development.

3.9.2.2 Lands planned for highway commercial development within designated Primary Urban Centres shall be appropriately designated on the Land Use Schedule for the applicable Primary Urban Centre. Those Land Use Schedules shall be read in conjunction with their respective planning policies in the Part B Urban Centre Plan and the general policies in Part A of this Official Plan.

3.9.2.3 Highway Commercial Areas located outside of the Primary Urban Centres shall be designated on Schedule "A" Series – Land Use to this Official Plan.

3.9.2.4 The Highway Commercial Area designation means that predominant use shall be for uses that cater to the traveling public. Permitted uses shall include service shops, automobile service stations, gas bars, vehicle washing establishments, automobile sales, repair garages, truck stops, sit-down and drive-in/takeout restaurants, convenience stores, hotels, motels, clubs or halls, places of amusement, auction barns and farm implement sales and service uses, marine sales and service uses and recreational vehicle and trailer sales and service uses. Residential uses are permitted, provided that they are necessary and incidental to a permitted commercial use.

3.9.2.5 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

3.9.2.6 Highway commercial uses should have direct access to an arterial or collector road and should be sited in such a manner as to facilitate easy vehicle access.

3.9.2.7 Adequate off-street parking facilities shall be provided and the access points to such parking facilities shall be limited in number and designed to minimize the danger to vehicular and pedestrian traffic.

3.9.2.8 Highway commercial uses located adjacent to residential land uses shall provide adequate buffering such as fencing and the planting of trees and shrubs. Lighting shall be directed away from existing residential uses.

3.9.2.9 Proposals to either establish a new Highway Commercial Area designation or expand an existing Highway Commercial Area designation will be reviewed under the policies of Section 6.3.3.10 and, if applicable, Section B.2.8 of this Plan.

3.9.2.10 The development of new Highway Commercial Areas in the rural areas shall comply with the Minimum Distance Separation requirements of the Provincial Policy Statement.

3.9.2.11 Highway commercial uses in the rural areas shall be encouraged to group together along major highways in a planned development, rather than forming a continuous strip development that is hazardous to vehicular traffic.

3.9.2.12 Highway commercial uses in the rural areas shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

3.9.2.13 Highway commercial development shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

3.9.2.14 The individual land uses within Highway Commercial Areas shall be separately zoned in the implementing Zoning By-law for Chatham-Kent. The provisions in the Zoning By-law shall include permitted land uses, building setbacks from property lines, onsite parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements and lighting control requirements.

3.9.2.15 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the particular Highway Commercial Area.

3.9.2.16 The Highway Commercial Area designation shall be subject to Site Plan Control.

3.9.2.17 Highway Commercial Area Site-Specific Policies:

3.9.2.17.1 RM Restoration Site

For lands identified on Schedule "A" Series – Land Use as "Site Specific Policy Area 3.9.2.17.1" and located on the southeast side of Highway 401 on the easterly side of Communication Road, the following policies also apply:

a) Permitted Uses

The following criteria shall be referred to in selecting appropriate uses for this area:

i) it shall be a characteristic of a principal use that it requires both high exposure to the traveling public and convenient access to Highway 401;

ii) retail uses dependent on the tourist trade, regardless of scale, are permitted—such uses are those that do not cater to casual pedestrian shopping, but rather to persons coming specifically to the premises by motor vehicle to do business;

iii) industrial uses of an office or "showcase" type, particularly light industrial with a significant accessory retail component, are permitted; light industries, for purposes of this policy, are those whose processing produces emissions or outputs that are zero to negligible, there is no outside storage and there is a self-contained process with zero to low probability of fugitive emissions;

iv) institutional uses of a public or quasi-public type are permitted;

v) uses that will enhance tourism for the Municipality;

vi) generally, principal commercial uses shall have physical requirements in terms of the size and shape of the site or buildings, or for the outdoor display and sales area, such that incorporation into an urban shopping centre or other commercial area is not suitable; however, this shall not be taken to exclude smaller scale uses that are ancillary or supportive to principal uses, or that are for the convenience of the traveling public;

vii) notwithstanding the above, for land east of the R.L. Smyth Drain, permitted uses will include inside storage of construction material and an accessory dwelling unit.

The permitted uses shall be described in more specific terms in an implementing Zoning By-law.

b) Servicing Requirements

Development will be permitted on the basis of either municipal, Class IV (septic tank and field bed) or Class VI (package treatment plant) systems for the disposal of sanitary waste, subject to approval by the Municipality.

Water supply may be from either municipal or an underground source (wells) provided that there is no adverse effect on existing wells in the area. Accordingly, only low water uses, and in the case of an industrial use, only "dry industry" shall be permitted without a municipal water supply.

c) Division of Land

As a general rule, the division of land into smaller parcels will be discouraged to promote a development under single control and management, where all uses share mutual parking areas and vehicular accesses, and to promote a cohesive approach with respect to other design elements such as architectural detail. However, this will not prevent severances for any of the following reasons:

i) to create a separate site for a supporting minor use provided that:

1. as a standalone site it does not interfere with or detract from the development on the remnant.

2. it has sufficient frontage on Horton Road.

ii) to assist the developer in making suitable financial arrangements, a consent may be granted for mortgage purposes; however, this should be permitted to occur only where the relevant policies of this Plan and provisions of the Zoning By-law would be satisfied with respect to the use of the lands if the mortgage is foreclosed and a separate lot is thereby created.

iii) for the purpose of clarity, a consent may be granted for the entirety of the lands east of the R.L. Smyth Drain.

d) Site-Plan Control

The Site Plan Control provisions of the Planning Act shall be applied to new development, particularly to minimize any incompatibilities between different land uses, to achieve design objectives and to control the placement and provision of required services.

e) Sign Control

The Ministry of Transportation (Ontario) regulates signs within certain distances of provincial highways and highway intersections. The Municipality will also enact a Sign By-law under the Municipal Act to control, in a comprehensive manner, the number, size, height, type, shape, colour, design and location of all signs within the subject area.

f) Site Design Guidelines

As part of the Site Plan Control process, the developer must prepare a concept plan, which will form the basis for approval of building locations, vehicular and pedestrian accesses, parking, loading, landscaping and other amenity areas, signage and lighting. In preparing the concept plan, the following guidelines shall be observed:

i) development of a single theme is encouraged;

ii) large, exposed, blank building walls should be avoided; all visible sides of a building should be finished and treated in a way that is visually similar to the front wall;

iii) large parking areas should be broken up into clusters and separated by landscaping;

iv) the number of vehicular accesses to the fronting road should be minimized. New access to Communication Road will not be permitted;

v) a planting strip of at least 6.0 metres in width shall be provided along the Horton Road frontage, excluding access points;

vi) loading and delivery areas, where not in-building, should be screened from the freeway;

vii) a minimum of 10% of a site area shall be landscaped;

viii) signs should complement the architectural design and materials of the buildings and, whenever possible, be integrated into the landscaping.

3.9.2.17.2 For lands identified on Schedule "A" Series – Land Use as "Site Specific Policy Area 3.9.2.17.2" and located on the northerly side of Talbot Trail west of the Blenheim Urban Centre, the following policies shall also apply:

a) the permitted uses shall include retail stores, offices, personal service shops, small goods repair shops, restaurants, warehousing and storage facilities, and dwelling units. Retail stores shall exclude supermarkets and the sale of department store-type merchandise shall be discouraged;

b) the total gross floor area of all non-residential uses shall not exceed 925 sq. m;

c) the gross floor area of any individual retail store shall not exceed 250 sq. m;

d) not more than three dwelling units are permitted and such units need not be occupied by an owner/operator of the business or building caretaker;

e) two or more of the non-residential uses may be combined under one roof.

3.10 AGRICULTURAL AREA POLICIES

Traditional and value-added agriculture and associated activities make an important contribution to the economy of Chatham-Kent, and they dominate the rural landscape of the Municipality. Of about 600,000 acres in the former townships, over 550,000 acres are under cultivation; that number has remained steady since 1971. Virtually all of this acreage is considered to be prime agricultural land. By comparison, in Ontario as a whole, the area of land under cultivation has been reduced by about 15% over the same period.

Most of the land in the rural area of Chatham-Kent is prime agricultural land, and the Provincial Policy Statement requires that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses.

The number of individually owned farm operations has decreased by over half, but the family farm type of operation (over 98%) still dominates through partnerships, joint ventures and family corporations. Reflecting the decrease in farm operations is the steady decline in the rural population and, in particular, the rural farm population. This phenomenon is raising concerns about the loss of social and physical infrastructure (e.g., schools), important quality of life issues for the rural community.

Most of the land in the rural area of Chatham-Kent is prime agricultural land and the Provincial Policy Statements require that these lands be protected for agricultural uses unless appropriate justification is provided for alternative uses. In Chatham-Kent, prime agricultural lands surround all of the growth centres, including the Primary and Secondary Urban Centres and Hamlets. Any expansions to the boundaries of the growth centres onto adjacent prime agricultural lands to accommodate urban development will require planning justification under the Provincial Policy Statements to address a need for the proposed uses and availability of lower capability lands.

The Economic Opportunity Study concluded that in the agri-food sector, the major opportunity is in food production rather than food processing. Opportunities in food production exist in the areas of biotechnology and greenhousing. The Study recommended that to enhance the food sector, Chatham-Kent should:

- create and enhance partnerships with existing research and knowledge-based groups in the area including the University of Guelph through Ridgetown College.

- capitalize on the Municipality's position as a dominant tomato-producing region including exploring the concept of a Centre of Excellence.

- develop new export markets in product areas that offer high growth potential for products such as tomatoes and cucumbers (United States), floriculture (United States), pork (Asia, United States), etc.

- be a conduit of information linking local growers, processors and exporters with government programs and agencies.

- link local proposals based on solid business plans with investors in the community.

The Agricultural Economic Impact and Development Study concurred that the greenhouse industry generates significant economic activity and employment for Chatham-Kent/Essex, and that the region has a comparative advantage in greenhouse production due to a favourable climate, proximity to markets and access to gas and water. The Study identified the following priorities for farm operators:

- Having access to good infrastructure services (i.e., roads, water, gas, utilities, etc.) to facilitate continued expansion of the greenhouse industry in Chatham-Kent.

- Having access to professionals with expertise in the development of new products and markets to assist farmers in recognizing and capitalizing upon market opportunities.

- Having access to well-trained, skilled workers who will enhance the region's competitive advantage.

- Having access to municipal government, which will convey the concerns of agricultural producers regarding the impacts of development encroachment on agricultural lands.

- Having access to specialized training on human resource management practices.

The Greenhouse Development Feasibility Study found that there are no constraints in Chatham-Kent to preclude the expansion of greenhouse farming. The Study concluded that the weather is favourable, the needed infrastructure services are either available or can

be provided and the impact on the local economy is significant. The Study estimated that the economic multiplier spending associated with greenhouse farming is at a factor of five or six times the operating cost of a greenhouse facility. The Study found that the most important considerations for establishing locations for greenhouse farms are:

- a good and reliable source of water;
- an adequate fuel supply; and
- access to three-phase electrical power.

The Study concluded that the variables associated with greenhouse farming are too great to identify locations in advance. Each potential site should be evaluated based on its ability to provide a water supply, natural gas and three-phase electrical power. Once the adequacy of utilities has been confirmed, then other locational criteria such as road access, proximity to market, size of the proposed parcel and price of land should be considered. Environmental issues associated with greenhouses include the disposal of waste (i.e., plastic from plastic greenhouses, disposal of vines, noise, fertilized water, etc.). The major social issues associated with greenhouses revolve around the use of migrant workers to work the farms (i.e., the housing of a large number of workers onsite) and the need for supporting social and community services.

The intention of this Official Plan is to make provisions for the long-term protection of the agricultural industry in Chatham-Kent. Agriculture is a cornerstone of Chatham-Kent's economy. The policies affirm that agriculture is a predominant activity in the Municipality.

It shall be the objective of Chatham-Kent to:

3.10.1.1 Support a healthy and viable agricultural industry as a cornerstone of the Municipality's economy.

3.10.1.2 Ensure that non-agricultural uses that may result in conflicts with agriculture are directed to growth centres and less productive farming areas.

3.10.1.3 Support Chatham-Kent's agricultural industry, including local food production and distribution systems, farmers' markets and farm-gate sales, to provide healthy and accessible foods that serve the needs of Chatham-Kent residents.

It shall be the policy of Chatham-Kent that:

3.10.2.1 Agricultural Areas that comprise prime agricultural lands (Class 1–3) and/or specialty crop lands shall also be designated on Schedule "A" Series – Land Use to this Official Plan.

3.10.2.2 The Agricultural Area designation means that the primary use shall be agriculture, farm-related industrial and farm-related commercial uses and accessory uses.

3.10.2.3 Permitted uses in the Agricultural Area designation will include the growing of crops, including nursery and horticultural crops; the raising of livestock and other animals for food or fur, including poultry and fish; aquaculture; agroforestry; maple syrup production; and associated on-farm buildings and structures. Also permitted are farm-related commercial and farm-related industrial uses that are small scale and directly related to the operation, which are required to be in close proximity to the farm operation. Also permitted are sustainable forestry uses, conservation, retail stands for the sale of agricultural products produced on the same farm unit, and bed and breakfast establishments.

The extraction of aggregate, mineral or petroleum resources will be permitted in accordance with the Aggregate Resources Act, the Mining Act or the Oil, Gas and Salt Resources Act, as appropriate, subject to the policies of this Plan.

Cannabis production will be a permitted use in accordance with Health Canada regulations and in conformity with the policies of Section 2.7 of this Plan.

3.10.2.4 Greenhouse farms will be permitted in the Agricultural Area. They will be subject to site-plan control and must satisfy the Ministry of the Environment water-taking requirements, if not on a municipal water supply.

3.10.2.5 The recycling of irrigated water supply by greenhouse farms shall be required in order to reduce primary water use.

3.10.2.6 Commercial and industrial agribusiness development directly related to and required to be located in close proximity to agricultural operations, including feed mills, farm implement dealers, grain elevators, grain drying, abattoirs, and veterinary clinics may be permitted, provided that the following policies are considered:

a) there are no reasonable alternative locations within areas designated other than Agriculture, no alternative locations on lower criteria land, and the use requires a location in close proximity to the farm activity;

b) such uses shall be located to conform with the Minimum Distance Separation Formulae;

c) an amendment to the Zoning By-law is approved;

d) the commercial or industrial use shall not require large volumes of water nor generate large volumes of effluent, and shall be serviced with appropriate water supply and sewage treatment facilities;

e) commercial and industrial uses shall be located and designed to minimize potential adverse impacts including noise, visual, odours,

air emissions, and so forth upon adjacent residential or other sensitive uses by buffering measures such as landscaping, berming and building layout and setbacks; and

f) the location of commercial and industrial uses must provide for minimum sight distances from the access points in either direction along a municipal road.

3.10.2.7 Small-scale home-based businesses shall be permitted in Agricultural Areas. Home-based businesses may include:

a) sales outlets for agricultural products produced on the farm;

b) small home occupations conducted from the main residence and normally limited to the occupants of the property;

c) bed and breakfast establishments; and

d) farm vacation enterprises.

Home-based businesses and home industries shall be permitted by the Municipality, provided that they do not generate a disruptive volume of traffic and do not impact negatively upon a provincial highway corridor.

3.10.2.8 Home industry uses, which are conducted in whole or in part in an accessory building (e.g., shed or farm building) by a member of the family owning the property, shall be permitted in Agricultural Areas. To ensure that the scale of the home industry is clearly accessory to the main use, the number of employees, the gross floor area and outside storage associated with a home industry shall be limited according to the implementing Zoning By-law.

3.10.2.9 Except as otherwise permitted in the Official Plan, development not related to agriculture will be directed to locate in designated growth centres. Redevelopment of formerly used and vacant or underutilized land in the Agricultural Area shall be permitted for agriculture uses, agriculture-related uses, secondary uses and commercial or industrial uses that are related to or supportive of agricultural operations, provided that any new use is compatible with agricultural uses and complies with the policies of Section 3.10.

3.10.2.10 All non-farm development shall comply with the Provincial Minimum Distance Separation (MDS I) Formulae Implementation Guidelines.

3.10.2.11 All new livestock facilities and the expansion of existing livestock facilities shall comply with the Provincial Minimum Distance Separation (MDS I) Formulae Implementation Guidelines.

3.10.2.12 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural

Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

3.10.2.13 The construction of agricultural buildings including greenhouses is discouraged in areas of Natural Heritage and Hazards Features identified in Section 4 of this Plan.

3.10.2.14 Proposed development in the Agricultural Area shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals for non-agricultural uses shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

3.10.2.15 Proposed non-agricultural development in the Agricultural Area shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

3.10.2.16 The individual land uses within Agricultural Areas shall be separately zoned in the implementing Zoning By-law for Chatham-Kent. The provisions in the Zoning By-law shall include building setbacks from property lines, onsite parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements and lighting control requirements for commercial and industrial uses.

3.10.2.17 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the Agricultural Area.

3.10.2.18 In addition to the general Consent policies in Section 6.3.3.39, the following policies will apply to the lands designated as Agricultural Areas:

3.10.2.18.1 Consent applications shall be evaluated based on the following principles:

a) In prime agricultural areas as described by the Provincial Policy Statement, the long-term interests of agriculture—both the preservation of farmland and the enhancement of farming operations—should dominate.

b) Consent approvals should act to reduce constraints on the expansion capability of existing livestock operations, and in no case should they exacerbate these constraints.

c) Approvals for agricultural consent applications should:

i) facilitate financial and estate planning;

ii) facilitate farm consolidations;

iii) conform with the Provincial Policy Statement;

iv) avoid or minimize the loss of farmland;

d) Approvals for consent policies should not:

i) result in farm parcels that are difficult or inefficient to farm;

ii) result in land use incompatibility.

3.10.2.18.2 A consent to sever may be granted:

a) to divide a lot for agricultural uses subject to the following conditions:

i) the minimum area of both the retained and severed lots shall be 50 acres (20 hectares). Smaller sizes will be considered where:

- *it can be demonstrated that the subject parcel can be a viable economic enterprise;*
- *the size of the parcel to be severed and the parcel to be retained is appropriate for the type of agricultural purposes for each parcel;*
- *the size of the parcel to be severed and the parcel to be retained is appropriate for the type of agriculture for the area in which the parcels are located;*
- *the size of the parcel to be severed and the parcel to be retained is common for the area in which the parcels are located;*
- *the size of the parcel to be severed and the parcel to be retained is sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.*

ii) The proposed consent shall comply with the Provincial Minimum Distance Separation (MDS) Formulae Implementation Guidelines.

b) where a previous or current farm consolidation has rendered a habitable farm dwelling surplus to the needs of a farm operation, subject to the following conditions:

i) By virtue of the consent, a residential dwelling will be prohibited on the remaining farm parcel through existing provisions of the Zoning By-law, and a single detached dwelling on an undersized agricultural lot will be recognized through existing provisions of the Zoning By-law.

ii) The proposed consent shall comply with the Provincial Minimum Distance Separation (MDS) Formulae Implementation Guidelines.

c) for agricultural-related uses, which means those farm-related commercial and farm-related industrial uses that are small scale, directly related to the farm operation and required to be in close proximity to the farm operation.

d) for the enlargement of an existing lot, subject to the following conditions:

i) the viability of the retained lot as a farm parcel is not threatened;

ii) a need must be demonstrated in which the proposed enlargement is for a non-farm use;

iii) the proposed severance must merge with the lot being enlarged in accordance with Sections 50(3) and (5) of the Planning Act.

e) for minor boundary adjustments or corrections and easements, and in accordance with Sections 50(3) and (5) of the Planning Act.

3.10.2.18.3 A consent may be granted for only those purposes set out in Section 3.10.2.18.2.

3.10.2.18.4 The size of the new or expanded lots reviewed under Subsection 3.10.2.18.2 b), c), d) or e), will be as small as is practical in order to preserve the Municipality's agricultural land base, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services, and shall comply with the requirements of the Zoning By-law. A consent application to create a new or expanded lot for non-farm rural residential uses will generally not exceed 0.8 hectare in area.

3.10.2.18.5 Joanne Monden/Skypower Corp Site

For the lands identified on Schedule "A" Series – Land Use as "Site Specific Special Policy Area 3.10.2.18.5" and located on the south side of Golf Course Line, Part of Lot 14, Concession 11, notwithstanding, or in addition to other policies of the Official Plan, the following will apply:

a) A commercial solar energy system utilizing photovoltaic panels will be permitted on the following property:

i. 13248 Golf Course Line, Part of Lot 14, Concession 11

b) Definitions and regulations regarding the development of a solar energy system will be established in an implementing zoning by-law;

c) The subject lands will be subject to site-plan control in accordance with the policies of this Plan;

d) Consent to sever an existing dwelling or buildings from the subject property while in use as a commercial solar energy system is prohibited.

3.10.2.18.6 Old Colony Mennonite Church

For the lands identified on Schedule "A6" Series – Land Use as "Site Specific Special Policy Area 3.10.2.18.6" and located in the northeast corner of the intersection of Wheatley Road and 5th Concession Line, Part of Lots 11 & 12, Concession 5 notwithstanding, or in addition to other policies of the Official Plan, the following policies will apply:

a) the creation of a lot up to 1 ha (2.47 ac.) in size may be created subject to the following:

i. the use of the lot is limited to a parking area accessory to a church located at 22046 Wheatley Road;

ii. the development of a parking area shall be subject to site-plan approval;

iii. the zoning of the lot shall remain in an agricultural classification with an accessory parking area listed as the sole additional permitted use;

iv. all improvements and maintenance of said improvements required for the support of the parking area that are to be located on the Municipal road allowance shall be the sole financial responsibility of the owner(s) of the parking area.

3.10.2.18.7 5150 Speedway (Elizabeth Piche – 4002 Bonneau Line)

For the lands identified on Schedule "A7" – Land Use as "Site Specific Special Policy Area 3.10.2.18.7" and located in the northeast corner of the intersection of Bonneau Line and Pollard Line, Part of Lot 13, Concession 6 notwithstanding, or in addition to other policies of the Official Plan, the following policies will apply:

a) the permitted uses on the site shall include a competitive racetrack facility limited to go-carts, subject to the following:

i. hard surfacing of areas supportive of or directly related to the racetrack facility shall be prohibited;

ii. if the racetrack facility ceases operation, then the lands shall be converted back to agricultural use;

iii. conversion of the racetrack facility to any other form of racing shall be prohibited without amendment to this Plan.

3.11 RECREATIONAL AREA POLICIES

The Municipality of Chatham-Kent encompasses a diverse range of parks, natural areas, and recreation facilities, enhanced by an extensive shoreline on Lake Erie and Lake St. Clair. In addition to a range of municipal parks, the open space system includes a number of special recreation areas that make Chatham-Kent unique and attractive to both residents and visitors.

There is a rich system of natural environment areas represented by the lacustrine marshes of Lake St. Clair, the beaches of Lake Erie, and the Thames and Sydenham River systems. Three provincial parks and several conservation lands protect the Municipality's most significant natural features and offer recreational opportunities. Of significance are the 11,500 ha of wetlands along Lake St. Clair including the St. Clair National Wilderness Area, a globally important bird area and Clear Creek Forest.

With extensive frontage on both Lake St. Clair and Lake Erie, and temperate summers, Chatham-Kent is well-positioned to offer water-based tourism and recreation activities. The Municipality owns and operates beaches at Mitchell's Bay on Lake St. Clair, at Clearville Park, Getty's Beach (Wheatley), Laverne Kelly Memorial Park (Erieau) and Terrace Beach Park (Morpeth). Public docks are operated in Chatham, Mitchell's Bay, Erieau, Shrewsbury and Wallaceburg.

Chatham-Kent's central location along the Highway 401 Corridor between Toronto and Detroit makes the region very accessible by automobile. A tourist node has been established at the Highway 401/Highway 40/Communication Road interchange focusing on the RM Classic Car facility. According to the Economic Opportunity Study, its current market draw is much stronger from the United States market to the west than the Greater Toronto Area to the east. There is a population of nearly 15 million people within a two-hour drive of Chatham-Kent. The largest tourism groups for southwestern Ontario are the pleasure visitors from the United States, followed by people from other parts of Ontario and Canada visiting friends and relatives. Almost 90% of American visitors and 60% of the Canadian visitors to southwestern Ontario are day visitors.

The Economic Opportunity Study concluded that:

- Highway 401 and the United States border crossings are key to servicing Chatham-Kent's tourism base.

- The current array of tourism products cater to a budget- to middle-income market.

- The region's current draw is heavily oriented to Michigan and the Great Lakes States, intraregional travel visitation and persons visiting friends and relatives.

- One of Chatham-Kent's major strengths is as an affordable family destination. It has attractions that cater to a variety of age groups in combination with a good inventory of campsites, beaches, provincial parks and low-cost accommodations.

- Black Heritage and the War of 1812 represent niche cultural themes with potential for expansion.

- Water-based tourism including beaches, marinas and fishing is well established; and

- Recreational vehicle camping is a growing market.

The Economic Opportunity Study recommended the following immediate actions:

- Undertake more research on local tourism to identify in more detail the tourism markets, motivations and supply.

- Undertake a local ambassador program to encourage residents to direct their guests to local accommodations.

- Encourage spending in tourism promotion in the following areas:

    - Black Heritage attractions;

    - Budget-conscious family market in the Great Lakes States;

    - Southern Ontario and Great Lakes States tour bus market;

    - Outdoor sportsman's market; and

    - Recreational vehicle camping market.

The intention of this Official Plan is to support the development and further strengthening of the tourism and recreation plan in Chatham-Kent.

It shall be the objective of Chatham-Kent to:

3.11.1.1 Protect and encourage economic activities that contribute to the further development and strengthening of the tourism and recreation plan in the Municipality.

3.11.1.2 Support the upgrading of existing tourist facilities and the establishment of new attractions, facilities and services to better serve existing and emerging tourist demand.

It shall be the policy of Chatham-Kent that:

3.11.2.1 Lake St. Clair, Lake Erie and the Thames and Sydenham River systems shall be the focal points for outdoor tourism and recreational activity in Chatham-Kent. The Primary and Secondary Urban Centres and Hamlets shall be the focus of urban-based tourism and recreation activity in the Municipality. Certain tourist activities shall also be permitted in Rural Settlement Areas and Agricultural Areas in accordance with the policies in this Official Plan.

3.11.2.2 Lands planned for tourism and recreational development within designated Primary Urban Centres shall be appropriately designated on the Land Use Schedule for the applicable Primary Urban Centre. Those Land Use Schedules shall be read in conjunction with their respective planning policies in the Part B Urban Centre Plan and the general policies in Part A of this Official Plan.

3.11.2.3 Recreational Areas located outside of the growth centres shall be designated on Schedule "A" Series – Land Use to this Official Plan.

3.11.2.4 The Recreational Area designation means that the main permitted uses shall include: tourist establishments; resorts and other accommodations uses; marinas, residential uses accessory to waterfront resort and marina recreation uses; campgrounds; fishing camps; active and passive recreational uses such as golf courses and amusement parks; indoor and outdoor recreational facilities; cultural heritage; other similar tourism recreational uses, and compatible institutional uses.

3.11.2.5 Ancillary commercial uses such as convenience and retail tourist-related commercial uses and eating establishments shall also be permitted.

3.11.2.6 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

3.11.2.7 A single detached dwelling or residence in a portion of a non-residential building shall also be permitted for the accommodation of the owner or caretaker.

3.11.2.8 Proposals to either establish a new Recreational Area designation or expand an existing Recreation Area designation will be reviewed under the policies of Section 6.3.3.10 of this Plan.

3.11.2.9 Development proposals in Recreational Areas shall address the following:

a) the physical suitability of the site to accommodate the proposed use;

b) impacts on the natural environment can be mitigated;

c) the provision of adequate setbacks, buffer planting and landscaped open space;

d) the design and location of off-street parking facilities and access points to provide for the adequate movement of vehicular traffic and minimize the danger to pedestrians;

e) the location of signs and outdoor lighting to provide for reasonable compatibility with adjacent land uses; and

f) the provision of adequate water supply and sewage disposal.

3.11.2.10 Proposed development in the Recreational Area shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies.

3.11.2.11 Recreational development shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan.

3.11.2.12 Development proposals for golf courses shall also address the following:

a) the impacts of the golf course on groundwater and surface water sources shall be minimized;

b) all Provincially Significant Wetlands are retained without loss to functions and reasonable attempts are made to retain and protect other significant natural features;

c) ponds, reservoirs, streams, wetlands and fish habitat are protected through sound stormwater management practices, sound fertilizer and pesticide management practices, sound irrigation practices, erosion control, setbacks and vegetative buffers whenever required;

d) nearby agricultural operations shall be protected through appropriate setbacks, golf course design and buffering; and

e) wherever practical, the more actively used areas of the golf course including the clubhouse and parking areas are set back and buffered from established residential areas.

3.11.2.13 The development of new Recreational Areas shall comply with the. Provincial Minimum Distance Separation (MDS) Formulae Implementation Guidelines.

3.11.2.14 The Recreational Areas designation use shall be subject to site-plan control.

3.11.2.15 The individual land uses within Recreational Areas shall be separately zoned in the implementing Zoning By-law for Chatham-Kent. The provisions in the Zoning By-law shall include permitted land uses, building setbacks from property lines, onsite parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements and lighting control requirements for the respective uses.

3.11.2.16 Proposed development shall be implemented through site-specific amendments to the implementing Zoning By-law for the particular Recreational Area.

3.12 AGGREGATE RESOURCE POLICIES

Aggregate resources are not abundant in Chatham-Kent. A small portion of the Bothwell Sand Plain exists within the northeast corner of the Municipality. This physiographic region represents the delta of the Thames River during the last glacial period. Surficial sand and gravel deposits dominate this region. However, the water table is low in this area, and the thin sand and gravel deposit sits on top of the relatively low permeable clay of the St. Clair Sand Plain. This makes extraction of the aggregate difficult and requires de-watering. There are sand and gravel deposits around the Blenheim Moraine, which runs from the Blenheim area to the Leamington area. These deposits are far less extensive than those of the Bothwell Sand Plain. There are no eskers or other glacial landforms present in Chatham-Kent, which are traditionally good sources of aggregate.

The intention of this Official Plan is to protect areas of significant aggregate resources, including areas designated as primary and secondary resources (Aggregate Resource Inventory Paper mapping), from incompatible land uses.

It shall be the objective of Chatham-Kent to:

3.12.1.1 Protect areas of significant aggregate resources from incompatible land uses to allow for future extraction.

3.12.1.2 Balance competing priorities for the protection of aggregate resources for future extraction and the need to protect agricultural land, natural heritage resources and other sensitive land uses.

It shall be the policy of Chatham-Kent that:

3.12.2.1 Areas of significant aggregate resources are delineated on Schedule "G" Series – Significant Aggregate Resource Deposits.

3.12.2.2 Aggregate resource extraction under the Aggregate Resources Act will be permitted in the Agricultural Area designation.

3.12.2.3 Aggregate resources shall be recognized and managed as non-renewable resources and protected from incompatible land uses.

3.12.2.4 In areas of significant aggregate resources, uses that do not preclude future resource extraction such as agriculture, forestry or conservation uses may be permitted in accordance with the underlying land use designation. All uses, which would preclude resource extraction, shall be discouraged until such time as the resource has been substantially depleted.

3.12.2.5 Once it has been demonstrated that a pit has been depleted of all economically viable granular material, and that the subject lands cannot be returned to agriculture in accordance with 3.12.2.7, alternative uses will be considered by amendment to this plan based on the following:

a) impact on neighbouring agricultural uses;

b) provision of adequate servicing;

c) compliance with the Aggregate Resources Act.

3.12.2.6 Residential and institutional development within 300 metres of licensed pits shall generally not be permitted. Proposed residential or institutional development within those areas shall be supported by studies that demonstrate that any land-use conflicts will be fully mitigated.

3.12.2.7 Aggregate extraction will only be permitted in the Agricultural Area if site rehabilitation to agriculture is performed and substantially the same acreage and same soil capability for agricultural is restored, except in the following instances:

a) on prime agricultural land where extraction occurs below the water table:

i) there is a substantial quantity of mineral aggregates below the water table warranting extraction; or

ii) the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible; and

iii) other alternatives have been considered by the applicant and found unsuitable; and agricultural rehabilitation in remaining areas will be maximized.

b) where the lands do not constitute prime agricultural land.

3.12.2.8 An amendment to the Zoning By-law will be required to permit new aggregate resource extraction uses or to allow the expansion of an existing extractive use.

3.12.2.9 In considering applications to permit new pits and quarries or expansions to existing extractive uses, the Municipality must be satisfied that the following are addressed:

- ***a) the impact on adjacent land uses and residents, including traffic, noise, dust, visual, etc.;***
- ***b) the impact on the natural environment, including groundwater, surface water and natural heritage features;***
- ***c) the capabilities of the subject land for agriculture and other land uses;***
- ***d) the impact on the road network;***
- ***e) the impact on any existing or potential municipal water supply resource areas;***
- ***f) the manner in which the operation will be carried out;***
- ***g) the nature of rehabilitation work that is proposed; and***
- ***h) any other matters deemed necessary by the Municipality.***

The application shall be accompanied by a Site Plan(s) to be submitted to the Municipality and the Ministry of Natural Resources. The Site Plan(s) shall deal with those matters specified by the province.

3.12.2.10 For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.

3.12.2.11 All pit and quarry operations shall be licensed by the Ministry of Natural Resources and meet the requirements of the Aggregate Resources Act.

3.12.2.12 All pit and quarry operations shall be subject to a program of progressive rehabilitation as specified in the Aggregate Resources Act, regulations under that Act and in the license for the property.

3.12.2.13 Extractive industries may refine and further process the raw materials extracted from the site in order to produce semi-finished or finished goods,

provided that the majority of the raw materials used in the final product come from that site. Asphalt plants and concrete batching plants shall only be permitted within the Extractive Industrial Area designation, provided that the use is compatible with surrounding land uses and is recognized in the implementing Zoning By-law.

3.12.2.14 Only licensed pit and quarry operations shall be zoned for extraction in the implementing Zoning By-law. The area zoned should correspond precisely to the area licensed under the Aggregate Resources Act.

3.12.2.15 The Municipality shall discourage incompatible land uses in areas immediately surrounding Extractive Industrial Areas by carefully reviewing applications for consent, rezoning or other development proposals.

3.12.2.16 To preserve the scenic beauty and amenities of the area, extractive operations shall be screened from public view wherever possible. Screening may be provided by planting, fences and/or landscaped berms.

3.12.2.17 No pit or quarry shall be excavated so that its edge is at a point less than 30.0 metres from the limit of any road right-of-way, a residential land use at the time the license or permit were issued, or land zoned for residential use by a Zoning By-law when the license was issued, and 15.0 metres from any adjoining property line, unless the adjoining property is also zoned for Extractive Industrial uses.

3.12.2.18 Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity that have been determined to be incompatible with extraction and associated activities. They shall be subject to Policy 3.12.2.7.

3.12.2.19 Similar policies to those in Sections 3.12.2.7 to 3.12.2.17 for aggregate resources will be applicable for other mineral resources designated under the Mining Act and under the jurisdiction of the Ministry of Northern Development and Mines.

3.13 PETROLEUM RESOURCE POLICIES

Chatham-Kent has a significant position with respect to the exploration, development and production of oil and natural gas in Ontario. Petroleum resources in the Municipality have been exploited since the early 1900s. The original gas field developed by Union Gas Limited is in former Tilbury Township, and provided gas to the area surrounding Port Alma. The original natural gas plant in Ontario was operated by Union Gas in Port Alma until the mid-1980s, and was decommissioned in 1996.

The oil and gas industry in Ontario employs approximately 1,000 people, and contributes $100 million dollars annually to the economy of Ontario. Chatham-Kent is the second

largest producer of oil and gas in Ontario, with two of the top three largest producing pools located in the south end of the Municipality. Oil production is primarily located in former Romney Township, with significant production also recorded in former Dover Township. Major gas fields are found in former Dover, Tilbury and Chatham Townships.

Over the past 10 years, the oil fields in Chatham-Kent have produced over 1,007,500 m^3 of crude oil. Based on an approximate average value of \$250/m^3, the value of the oil produced in Chatham-Kent in the past 10 years is approximately \$250,000,000, or \$25 million per year.

The gas fields have produced over 408,700,000 m^3 of natural gas in the past 10 years. Based on an approximate average value of \$ 0.13/m^3, the value of the gas produced in Chatham-Kent over the past 10 years is approximately \$53,000,000, or \$5.3 million per year.

Lake Erie is home to a large natural gas industry, which produces 75% of Ontario's natural gas from wells completed within Lake Erie. Two of the six onshore gas processing plants and compressor stations that service Lake Erie are located in Chatham-Kent, at Morpeth and Port Alma. The gas wells are serviced by vessels that operate out of the harbours at Erieau and Wheatley.

The by-products of the industry include brine (salty water) that is used throughout Chatham-Kent as a dust suppressant. More recently, a significant volume of oil field brine has been used as a pre-wetting fluid for road salt as part of the application of salt to Ontario roads.

The oil and gas industry in Chatham-Kent provides significant economic benefits to the Municipality. Exploration and development activities should be encouraged. Chatham-Kent should work with the industry through the Ontario Petroleum Institute to take part in activities that promote the economic and safe development of the oil and gas resources in the Municipality.

The intention of this Official Plan is to protect known deposits of petroleum and existing producing wells from the encroachment of development.

It shall be the objective of Chatham-Kent to:

3.13.1.1 Protect known deposits of petroleum resources and existing producing wells from the encroachment of incompatible land uses.

It shall be the policy of Chatham-Kent that:

3.13.2.1 Exploration and extraction of mineral and petroleum resources will be undertaken in accordance with federal and provincial legislation. Petroleum pool resources shall be recognized and managed as non-renewable resources and are delineated on Schedule "G" Series – Petroleum Pool Resources.

3.13.2.2 New development shall be set back 75 metres from existing wells. This setback is equivalent to the setback required under the Oil, Gas and Salt Resources Act for new wells from existing development. Lesser setbacks for development may be considered upon consultation with the province.

3.13.2.3 Where development is proposed adjacent to or above pools or deposits, the province shall be consulted regarding measures to allow possible future access for resource production purposes.

3.13.2.4 Petroleum exploration and production under the Oil, Gas and Salt Resources Act is a permitted activity anywhere within the Municipality except in growth centres.

3.13.2.5 Should the natural heritage policies in Section 4 of this Official Plan regarding development within natural environment areas affect potential petroleum activities, the province shall be consulted to address the competing provincial interests.

3.13.2.6 Well and well-site clean-up and rehabilitation are 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.

3.13.2.7 Development on or adjacent to lands affected by former mineral resource operations shall be permitted only if rehabilitation measures to address and mitigate known hazards are underway or have been completed.

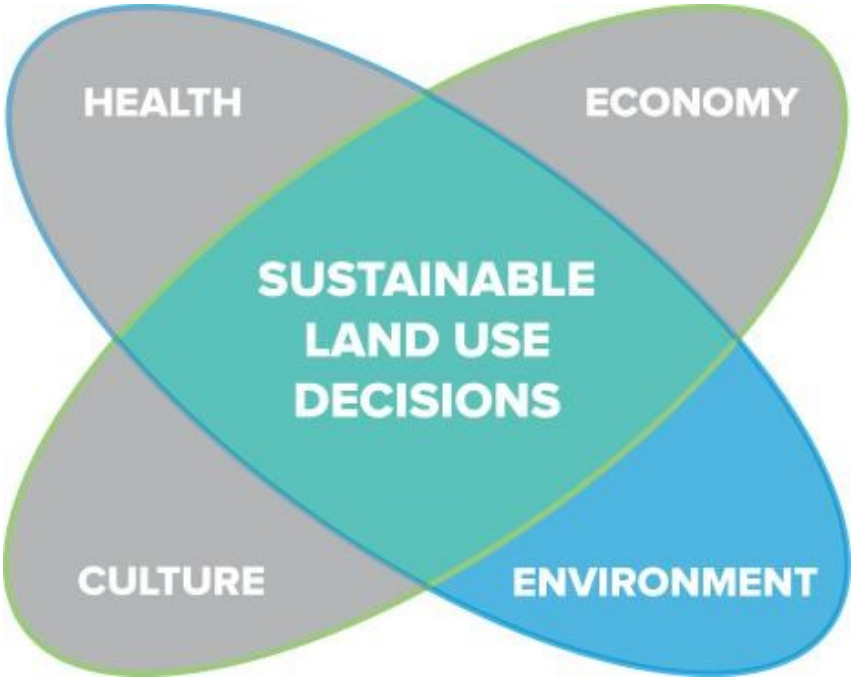
3.13.2.8 Contaminated sites discovered during the planning or implementing of a development proposal shall be restored as necessary prior to any activity associated with a development proposal continuing.

PART A SECTION 4

ENVIRONMENT

4.0 ENVIRONMENT

4.1 OVERVIEW



This Section provides policies related to the natural environment and the protection of those resources, including water resource protection. It also contains policies designed to protect public health and safety from natural hazards and policies related to air quality. The policies are designed to improve the sustainability and long-term health of Chatham-Kent's ecosystems by protecting and conserving valuable aquatic and terrestrial resources and their biological foundations.

4.2 OFFICIAL PLAN CONTEXT

Protection and enhancement of the natural environment is essential for the achievement of long-term sustainability. Therefore, the long-term health of Chatham-Kent's environment is dependent upon the protection and enhancement of natural heritage features, ecological functions and natural resources. This protection is also a key objective of the provincial government, and it is encouraged through the Provincial Policy Statement. Natural heritage planning is an integrating concept for land-use planning that uses an ecosystem-based approach to planning and policies. Natural heritage objectives include the preservation and restoration of natural areas, native species, landscapes and ecological processes to promote a healthy ecosystem. Policies for protection of air and the quality and quantity of ground and surface water are also essential components to attain ecosystem objectives.

In Chatham-Kent, a strategy for natural heritage is particularly important because of the fragmented nature of the natural features. Forest cover in Chatham-Kent is extremely low

(approximately 4% of the total land area) including Wheatley, Rondeau and Clear Creek Forest Provincial Parks and the Moraviantown First Nation Reserve. This number is significantly less than pre-settlement and well below the Environment Canada Draft Framework Guideline of 30%. Agriculture remains the primary pressure on the natural heritage features within Chatham-Kent.

Natural heritage is important to preserve for many reasons. From an historical perspective, the remaining natural areas provide the community with an understanding of what the landscape was like before European settlement. The Thames River has been designated a heritage river. Natural heritage contributes to a healthy environment, helps protect biodiversity and protects water quality for drinking and other uses, including recreation. Chatham-Kent is nationally recognized for its high number of Species at Risk. Recovery plans have been developed for the Thames and Sydenham Rivers that provide local, provincial and federal direction for protecting and restoring these important watersheds.

In addition, the shoreline areas contain a significant portion of hazard land, natural heritage features and urban settlement areas within the Municipality. Given this, a specific Sustainable Shoreline Secondary Plan was undertaken for these areas and Section 7 outlines a specific Natural Heritage System Strategy for the protection and enhancement of natural heritage features, ecological functions and natural resources in the shoreline areas.

Groundwater protection is also critical to Chatham-Kent due to reliance on groundwater for both potable water and the agricultural and commercial supply. Ground and surface water issues to be addressed relate to water wells, septic fields, underground storage tanks, oil and gas wells, use of nutrients and chemicals, agricultural and industrial operations, drainage and water taking.

The following natural heritage features are mapped on the Land Use Schedules: Significant Woodland; Provincial ANSI; Regional ANSI; Provincially Significant Wetland; and, Locally Significant Wetland. These features compose a part of the Natural Heritage System. As additional natural heritage features are identified and information is collected through studies, mapped information about Chatham-Kent's natural heritage system will be updated through Official Plan and Zoning By-law amendments. The natural heritage system is composed of core areas that are linked by natural corridors, including water systems. The natural heritage system is supported by groundwater protection mapping and policies, as well as policies for stormwater management, parks and recreation and environmentally sound infrastructure servicing.

The Provincial Policy Statements provide clear direction for the identification and protection of natural heritage features and systems from incompatible development. According to the Provincial Policy Statements, natural heritage includes wetlands, habitats of endangered and threatened species, fish habitat, woodlands, valleylands, wildlife habitat and areas of natural and scientific interest. The Provincial Policy Statements also promote protection and enhancement of ground and surface water features and functions.

It shall be the objective of Chatham-Kent to:

4.2.1 Increase and improve the health of the natural heritage system of Chatham-Kent through protection and enhancement of natural heritage features, ecological functions and natural resources, including air and water, education, conservation and environmental stewardship.

4.3 NATURAL HERITAGE SYSTEM

4.3.1 Framework for the Natural Heritage System

The Natural Heritage System outlines Chatham-Kent's plan for protecting existing environmental assets and enhancing natural features, air and water quality. The System identifies:

- lands and waters where natural heritage features will be protected from development and site alteration through an Open Space and Conservation designation;
- lands and waters and natural heritage features through an overlay Natural Heritage designation wherein an Environmental Impact Statement (EIS) is needed before any development or site alteration can proceed;
- flood-prone areas through an overlay Natural Heritage designation for which an Environmental Impact Statement (EIS) is needed before any development or site alteration can proceed;
- shoreline hazard lands along the lakes and major rivers that will be protected from development and site alteration through a Shoreline Hazard Area overlay designation;
- wellhead protection areas through an overlay designation wherein a groundwater impact assessment is needed before development or site alteration can proceed;
- areas that have high, medium or low intrinsic susceptibility to groundwater impacts through an overlay designation; for these areas, a groundwater impact assessment may be needed before development or site alteration can proceed, depending on the potential groundwater contaminants associated with the proposed activity, if any;
- policies for lands adjacent to natural heritage lands to ensure that negative impacts do not occur;
- natural corridors and linkages to be considered in any future development or site alteration;
- policies for groundwater protection and enhancement;

- policies for surface water protection and enhancement; and
- policies for protection and enhancement of air quality.

Given the low forest cover in Chatham-Kent, a comprehensive Forest Management Strategy is an essential component of the program to protect and enhance the natural heritage features in Chatham-Kent. The policies in this Official Plan promote and contribute to the implementation of Chatham-Kent's Forest Management Strategy.

4.3.2 Components of the Natural Heritage System

The foundation of the natural heritage system consists of the mapped system components along with the protective policies and designations in this Plan. The following table describes each mapped component of the Natural Heritage System and summarizes the policies in this Official Plan. These core components are complemented by additional policies promoting a watershed-based approach to planning and supporting actions for environmental enhancement. Air quality protection policies are also defined.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
Significant Wetlands and Significant Coastal 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. Approved/identified by the Ontario Ministry of Natural Resources and Forestry (MNRF) using the Ontario Wetland Evaluation System.	MNRF	MNRF delineating wetlands or reviewing and approving the work of others in accordance with the Ontario Wetland Evaluation System.	120 m	Significant Wetlands are designated as "provincially significant wetlands" on the Schedules "A," "C" and "E" Series. Newly approved significant wetlands will be added by amendment to Schedules "A," "C" and "E" series in accordance with Section 4.2 of this Plan.	Development and/ or site alteration shall not be permitted in significant wetlands or significant coastal wetlands.
Habitat of Endangered Species or Threatened Species Habitat of Endangered Species or Threatened Species (continued)	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 reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and places in the areas described in Clause (a) or (b), whichever is applicable, that are used	MNRF	Delineating, describing, reviewing and approving the work of qualified professionals, or establishing methods such as training and standards to ensure that the work of others will be acceptable.	N/A	Habitat of Endangered Species or Threatened Species is not currently identified on the Land Use Schedules. Although these features have not been specifically mapped, they frequently coincide (though not exclusively) with other natural heritage features and can occur in natural heritage features and areas mapped on the Schedule "A," "C" and "E" Series.	Development and/ or site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
	by members of the species as dens, nests, hibernacula or other residences.					
Aquatic species at risk (fishes and mussels).	Waters supporting aquatic species at risk (fishes and mussels) listed under Schedule 1 of the federal Species at Risk Act (SARA) and their critical habitats.	Fisheries and Oceans Canada	As identified on Fisheries and Oceans Canada (DFO) aquatic species at risk distribution and critical habitat maps located on the Fisheries and Oceans Canada website at: http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html and in documents available on the Species at Risk Act Public Registry at http://www.sararegistry.gc.ca/	N/A	Not currently mapped.	Development and/or site alteration will not be permitted unless an ESS/EIS demonstrates no negative impacts to the aquatic species and their associated environment and SARA provisions have been addressed. Where there is overlap between the federal SARA and the habitat of endangered species and threatened species under the Provincial Policy Statement or general or regulated habitat under the *Endangered Species Act*, 2007, the higher level of protection will be applied.
Lands adjacent to Significant Wetlands and Significant Coastal Wetlands	Those lands contiguous to a specific significant wetland and/or significant coastal wetland, where it is likely that development or site alteration would have a negative impact on the feature or area. Lands within 120 m of Significant Wetlands and/or Significant Coastal Wetlands.	Chatham-Kent, MNRF	A 120 metre adjacent lands width is identified, starting from the outer extent of the identified feature.	N/A	The boundaries of the adjacent lands are not mapped on the Land Use Schedules.	Development and/or site alteration shall not be permitted on adjacent lands to Significant Wetlands and Significant Coastal Wetlands, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated through an environmental site screening (ESS) report and/or environmental impact statement (EIS) that there will be no negative impacts on the natural features or on their ecological functions.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
Locally Significant 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. Locally Significant Wetlands are wetlands that have been evaluated using the Ontario Wetland Evaluation System (OWES), but have been determined to not meet the scoring of a Provincially Significant Wetland.	Chatham-Kent, MNRF	Locally significant wetlands can be identified through an ESS, EIS or candidate natural heritage features inventory work. Wetland communities can be identified using ecological land classification and delineated using the Ontario Wetland Evaluation System (OWES). Where field work has identified a non-evaluated wetland, it should be evaluated by a qualified wetland evaluator and submitted to the MNRF for approval and determination of significance. The methodology used to determine significance of wetlands is the OWES. All wetland evaluations must be sent to MNRF regardless of the preliminary determination of significance. The MNRF is responsible for reviewing and approving all wetland evaluations. If a wetland is evaluated and determined to be not Provincially Significant, Chatham-Kent will	120 m	Not currently mapped. May be identified in the future and added by amendment to the Schedule "C" Series in an overlay designation.	Development and/or site alteration will not be permitted until the significance of the feature has been determined by MNRF using OWES. For wetlands determined to be Provincially Significant, see above for policies on significant wetlands. For wetlands that have been determined by MNRF to be locally significant, development and/or site alteration shall not be permitted unless an ESS/EIS demonstrates no negative impacts on natural heritage features or ecological functions.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
			identify the wetland as Locally Significant.			
Non-Evaluated 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. Locally Significant Wetlands are wetlands that have been evaluated using the Ontario Wetland Evaluation System (OWES), but have been determined to not meet the scoring of a Provincially Significant Wetland.	Chatham-Kent, MNRF	Non-evaluated wetlands can be identified through an ESS, EIS or candidate natural heritage features inventory work. Wetland communities can be identified using ecological land classification and delineated using the Ontario Wetland Evaluation System (OWES). Where field work has identified an unevaluated wetland it should be evaluated by a qualified wetland evaluator and submitted to the MNRF for approval and determination of significance. The methodology used to determine significance of wetlands is the OWES. All wetland evaluations must be sent to MNRF regardless of the preliminary determination of significance. The MNRF is responsible for reviewing and approving	120 m	Not currently mapped. After evaluation, the wetland will be identified as Provincially Significant or Locally Significant and added by amendment to the Schedules "A," "C" or "E" Series.	Development and/or site alteration will not be permitted until the significance of the feature has been determined by MNRF using OWES. For wetlands determined to be Provincially Significant, see above for policies on significant wetlands. For wetlands that have been determined by MNRF to be locally significant, development and/or site alteration shall not be permitted unless an ESS/EIS demonstrates no negative impacts on natural heritage features or ecological functions. Note: the Conservation Authority may, on a case-by-case basis, determine whether its regulations apply to non-evaluated wetlands.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
			all wetland evaluations. If a wetland is evaluated and determined to be not Provincially Significant, Chatham-Kent will identify the wetland as Locally Significant.			
Coastal Wetland	Means a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, 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.	MNRF	A determination of significance is not required.	120m	Not currently mapped. May be identified in the future and added by amendment to Schedule "C" Series in an overlay designation.	Development and/or site alteration shall not be permitted in coastal wetlands that are not subject to Policy 2.1.4(b) of the Provincial Policy Statement, unless it has been demonstrated through an ESS/EIS that there will be no negative impacts on the natural feature or its ecological function.
Fish Habitat	As defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas, on which fish depend directly or indirectly in order to carry out their life processes.	Fisheries and Oceans Canada	A determination of significance is not required. Fish habitat is identified through pre-consultation with Fisheries and Oceans Canada.	120 m from the seasonal high water mark.	Not currently mapped.	Development and/or site alteration will not be permitted in fish habitat, except in accordance with the provincial and federal requirements.
Significant Woodlands	Means a treed area that provides 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 and woodlots of	Chatham-Kent	All woodlands 2 hectares in size or larger are considered significant woodlands in Chatham-Kent.	120 m	Significant Woodlands are identified as an overlay designation on the Schedule "C" Series.	Development and/or site alteration will not be permitted unless an ESS/EIS demonstrates no negative impacts on the natural heritage features or the ecological functions.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
	forested areas, and they vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated according to the Forestry Act definition of the Province's Ecological Land Classification system definition for "forest." Woodlands are to be identified using criteria established by the MNRF.					
Candidate Significant Woodlands	Means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots and forested areas, and they vary in their level of significance at the local, regional and provincial levels.	Chatham-Kent	Woodlands greater than 0.5 hectares and less than 2.0 hectares in size are considered candidate significant woodlands. Candidate woodlands will need to be evaluated for their significance through an ESS or EIS process. If the woodland is greater than 0.5 hectares and less than 2.0 hectares and meets one of the significance criteria identified below, the woodland is significant. (a) Woodland Interior: any woodland with interior habitat; (b) Proximity to other woodland or other habitats: if a portion of the woodland is located within 30 m of a significant natural feature or fish habitat likely receiving ecological	120 m	Not currently mapped. If determined to be significant after evaluation, the woodland may be identified as Significant Woodland and added by amendment to the Schedule "C" Series in an overlay designation.	Development and/or site alteration will not be permitted until the significance of the feature has been determined. Development and/or site alteration will not be permitted unless an ESS/EIS demonstrates no negative impacts on the natural heritage features or the ecological functions.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
			benefit from the woodland; (c) Linkages: any woodland located within a defined natural heritage system or that provides a connecting link between two other significant features that are within 120 m; (d) Water protection: any woodlands located within a sensitive or threatened watershed or within 50 m of a sensitive groundwater discharge, sensitive recharge, sensitive headwater area, watercourse or fish habitat; (e) Woodland diversity: any woodland with a natural occurring composition of native forest species that have declined significantly, and any woodland with a high native diversity through a combination of composition and terrain (e.g., a woodland extending			

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
			from hilltop to valley bottom or to opposite slopes) (f) Uncommon characteristics: any woodland meeting the Uncommon Characteristics criteria in Table 7-2 of the NHRM (minimum area thresholds = between 0.5 to 2 ha in size) (g) Economic and Social Functional Values Criteria: any woodland meeting the economic and social functional values criteria in the NHRM (minimum area thresholds = between 0.5 to 2 ha in size).			
Significant Areas of Natural and Scientific Interest	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. Life Science ANSI's are significant representative segments of Ontario's biodiversity and natural landscapes including specific types of forests, valleys, prairies and wetlands, their native plants and animals, and their supporting environments. Earth Science ANSI's include the best	MNRF	Approved by the MNRF in accordance with the ANSI confirmation process	Life Science 120m Earth Science 50 m	Life Science and Earth Science are included in the "Natural Heritage Feature" overlay on the Schedule "C" Series	Development and/or site alteration shall not be permitted unless an ESS/EIS demonstrates no negative impacts on the natural heritage features or ecological functions.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
	representatives of bedrock, fossils and glacial landforms.					
Wildlife Habitat	Means areas where plants, animals and other organisms liveand 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 that are important to migratory or non-migratory species.	Chatham-Kent	Using criteria in the Natural Heritage Reference Manual, the Significant Wildlife Habitat Technical Guide and the Eco-Region 7E Criteria Schedule using Ecological Land Classification. Significant wildlife habitat has been divided into four broad categories: 1) seasonal concentration areas, 2) rare vegetation communities or specialized habitats for wildlife, 3) habitat of species of conservation concern (excluding the habitat of endangered and threatened species), 4) and animal movement corridors.	120 m	Significant Wildlife Habitat is not currently identified in the schedules. Although this feature has not been specifically mapped, it frequently coincides with other natural heritage features and areas (though not exclusively) and will be identified and evaluated on a site-by-site basis.	Development and/or site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated through an ESS/EIS that there will be no negative impacts on the feature or its ecological functions.
Significant Valleylands	Means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year, and that is ecologically important in terms of features, functions, representation or amount.	Chatham-Kent, in cooperation with the local Conservation Authority	Significant Valleylands are identified utilizing guidelines provided in the Natural Heritage Reference Manual and are based on the following features: a) more or less continuous natural areas providing connections within the	120 m	Not currently mapped. May be identified in the future and added by amendment to Schedule "C" Series in an overlay designation.	Development and/or site alteration shall not be permitted in significant valleylands unless it has been demonstrated through an ESS/EIS that there will be no negative impacts on the feature or its ecological functions.

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
			watershed; b) contains a diversity of native species, natural communities and landscapes; c) provides ecological functions such as habitat, passage, refuge, hydrological flow, and buffering from adjacent areas.			
Environmentally Sensitive Areas (ESA's)	An existing natural feature that satisfies criteria in the Municipal Natural Heritage System Study.	Chatham-Kent, in cooperation with the local Conservation Authority	May be identified in the future through a Municipal Natural Heritage System Study and added by amendment to Schedule "C" Series – Natural Heritage and Hazards Features to this Official Plan in an overlay designation.	120 m	Not currently mapped. May be identified in the future and added by amendment to Schedule "C" Series in an overlay designation.	Development and/or site alteration shall not be permitted in environmentally sensitive areas unless it has been demonstrated through an ESS/ EIS that there will be no negative impacts on the feature or its ecological functions.
Lands adjacent to Locally Significant and Non-Evaluated Wetlands, Fish Habitat, Significant Woodlands, Significant Areas of Natural and Scientific Interest, Wildlife Habitat, Significant Valleylands, and Environmentally Sensitive Areas (ESA's)	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.	Chatham-Kent	A 120 m adjacent lands width is identified from the extent of the identified feature. A 120 m adjacent lands width is identified from the boundary for a life science ANSI or 50 metres for an earth science ANSI. A120 m width from the seasonal high water mark is the adjacent lands width for Fish Habitat.	N/A	The boundaries of the adjacent lands are not specifically mapped on Schedules.	Development and/or site alteration shall not be permitted on adjacent lands to the natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions, and in the case of a wetland, the hydrological functions. If development is proposed within 120 m of an unevaluated wetland, a wetland evaluation using the

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
						Ontario Wetland Evaluation System should be completed prior to an ESS/EIS to determine the significance of the feature and to delineate the wetland boundary.
Natural corridors and linkages	Linkage (also referred to as "corridors") are a component of natural heritage systems and should be designed to accommodate the natural movement patterns of plants and animals. The movement is necessary for biodiversity conservation and the long-term viability of ecological systems.	Chatham-Kent	Identified by Chatham Kent considering the natural heritage systems linkages attributes in the Natural Heritage Reference Manual, such as ecological function, scale, built in redundancy, and linkages that provide temporary refuges (e.g., stepping stones), facilitate movement between core areas, and linkages connect areas that could provide habitat in the future.	N/A	Not currently mapped. Will be identified in the future and added by amendment to the Schedule "C" Series in an overlay designation.	The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features. Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas. The Municipality supports the creation of new or expanded linkages between natural heritage features, where feasible. Corridors that link isolated natural heritage features or enhance existing linkages, improve or enhance the ecological functions or designated natural heritage features, and

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
						strengthens the overall Natural Heritage System. Some corridors or linkages may need to be developed over time through initiatives such as reforestation or regeneration projects.
Defined Flood or Erosion Constraint Areas		Conservation Authority	Identified through pre-consultation with the appropriate Conservation Authority.	N/A	Identified on an overlay designation on the Schedule "C" Series – Natural Heritage and Hazards Features.	Development is generally directed outside of flood- and erosion-prone lands. Development or site alteration may be permitted provided that: • the flood and erosion hazard can be safely addressed; • no new hazards are created or existing ones aggravated; • no adverse environmental impacts will result; • vehicles and people can safely enter and exit the area during times of flooding; and, • the development does not include institutional uses, emergency services, or the storage of hazardous substances.
Shoreline Hazard Lands	The greater of: i) flooding hazard including uprush and other water-related hazards; ii) dynamic beach hazard; iii) the 100-year flood erosion rate plus an allowance for slope stability plus an erosion access allowance; iv) 30 metres from top of bank; v) Conservation Authority Regulation limit as identified through pre-	Conservation Authority	Identified through pre-consultation with the appropriate Conservation Authority.			Development and/or site alteration is prohibited within the shoreline setback areas shown on the implementing Zoning By-law. Development applications in all other areas with shoreline hazards will require pre-consultation with the appropriate

Component of Natural Heritage Features and Areas	Definition	Agency Responsible for Determining Significance	Methodology and Criteria used to Determine Significance	Adjacent Lands	Schedule	Protection Policy
	consultation with the appropriate Conservation Authority.					Conservation Authority to determine the necessary studies and mitigation measures.
Wellhead protection areas					Identified as the 10-year time of travel zones shown on Schedule "D" Series – Wellhead Protection for the Highgate and Ridgetown municipal groundwater supplies.	Development or site alteration is permitted if the required groundwater impact assessment demonstrates no negative impact.
Areas with high, medium or low intrinsic susceptibility to groundwater impacts					As shown on Schedule "D" Series – Intrinsic Susceptibility.	Development or site alteration is permitted if the proposed activity involves no potential groundwater contaminants defined in the Official Plan. If the proposed activity will involve potential groundwater contaminants, development or site alteration is permitted if the required groundwater impact assessment demonstrates no negative impact on water sources.

4.4 NATURAL HERITAGE FEATURES AND POLICIES

4.4.1 Natural Heritage Features

The policies contained in Section 4.4 of this Plan apply to all land-use designations within the Municipality.

The Provincial Policy Statement identifies natural heritage features within which no development or site alteration is permitted. These include Provincially Significant Wetlands, Significant Coastal Wetlands and the Habitat of Endangered and or Threatened Species. Chatham-Kent hosts over 11,500 hectares of Provincially Significant Wetland areas along Lake Erie and Lake St. Clair, including the St. Clair National Wildlife Area, a globally important bird area. These wetland areas are identified on Schedules "A" and "E" Series – Land Use.

The habitat of endangered species and threatened species is not shown on Schedule "C." Species at Risk are identified as extirpated, endangered, threatened or species of special concern on the Species at Risk in Ontario List. The Ministry of Natural Resources (MNR) administers the Endangered Species Act, 2007 (ESA) to protect and conserve species at risk and their habitats. MNR is responsible for giving technical advice on species identified on the SARO List and their habitats, and for approving the delineation of habitat for endangered species and threatened species. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement. For the purposes of the Provincial Policy Statement, MNR is responsible for approving the delineation of the habitat of endangered species and threatened species. An EIS or other planning report may help with identifying the extent of the habitat of endangered species and threatened species.

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

1) Assessments reviewed and approved by the MNR regarding the extent of the species' habitat;

2) Habitats or areas delineated by MNR and/or regulated under the ESA; and,

3) Habitat that is necessary for the maintenance, survival, and/or recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

Distribution of federal aquatic species at risk (fishes and mussels listed under Schedule 1 of SARA and their critical habitats are identified on maps produced by Fisheries and Oceans Canada (DFO). The DFO is responsible for providing technical advice on these species and for clarifying critical habitat locations and permitted activities. Federal aquatic species at risk (fishes and mussels) may also be protected under provincial legislation (e.g., the Endangered Species Act) and/or policy (the Provincial Policy Statement – habitat of endangered species and threatened species).

It shall be the objective of Chatham-Kent to:

4.4.1.1 Protect and preserve provincially and federally significant natural features in Chatham-Kent.

It shall be the policy of Chatham-Kent that:

4.4.1.2.1 Provincially Significant Wetlands and Significant Coastal Wetlands shall be designated on Schedule "A," "C" and "E" Series – Land Use to this Official Plan.

4.4.1.2.2 Provincially and federally significant natural features shall include:

a) Provincially Significant Wetlands and Significant Coastal Wetlands as determined by the Ministry of Natural Resources and Forestry; and

b) Habitat of endangered or threatened species as determined by the Ministry of Natural Resources.

c) Waters supporting aquatic species at risk (fishes and mussels) listed under Schedule 1 of SARA and their critical habitats.

4.4.1.2.3 Development and site alteration will not be permitted within areas designated and identified as Provincially Significant Wetland and Coastal Wetlands on Schedules "A", "C" and "E" – Land Use to this Official Plan. Exceptions are activities that create or maintain infrastructure authorized under the environmental assessment process or work subject to the Drainage Act. They are not to be considered development or site alteration. Wherever possible, those activities should occur outside of Provincially Significant Wetlands or Significant Coastal Wetlands.

4.4.1.2.4 Permitted uses in the Provincially Significant Wetland and Significant Coastal Wetlands designation may include the following if it can be determined that there are no negative impacts on the feature or function for which it was identified:

a) forest, wildlife and fisheries management;

b) non-intensive passive recreation uses;

c) activities that create or maintain infrastructure under an environmental assessment process; and

d) essential watershed management and flood and erosion control projects as approved by related approval authorities and environmental assessment processes.

4.4.1.2.5 ***Areas containing habitat of provincially listed endangered or threatened species are not designated on the Schedules to this Official Plan and will be identified on a site-specific basis through consultation with the Ministry of Natural Resources. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. Chatham-Kent and the Ministry of Natural Resources shall develop a protocol for the Municipality to screen applications for areas likely to be significant habitat of endangered species or threatened species.***

Waters supporting aquatic species at risk (fishes and mussels) listed under Schedule 1 of SARA and their critical habitats are not identified on the Schedules to this Official Plan, but are found on DFO maps and through consultation with appropriate Conservation Authority or DFO staff. Species-specific information may be obtained on the SARA Public Registry at http://www.sararegistry.gc.ca/default_e.cfm.

4.4.1.2.6 ***Provincially Significant Wetlands and Significant Costal Wetlands will be appropriately zoned in the implementing Zoning By-law.***

4.4.2 Natural Heritage Features Where an Environmental Impact Statement (EIS) is Required

The Provincial Policy Statement also identifies natural heritage features within which an Environmental Impact Statement (EIS) must be completed to demonstrate that no negative impact will occur before development is approved. These areas include:

- Fish Habitat, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Significant Areas of Natural and Scientific Interest; Features of Local Significance and Coastal Wetlands;

- Lands adjacent to: Significant Wetlands, Significant Coastal Wetlands, Habitat of Endangered or Threatened Species, Fish Habitats, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Significant Areas of Natural and Scientific Interest.

Table 4.1 summarizes how each of these features is identified and protected. Not all of these features are identified and protected. Not all of these features are mapped. Significant Woodlands and Significant Areas of Natural and Scientific Interest have been identified on Schedules "C" Series – Natural Heritage and Hazards. Significant Woodlands are identified as all woodlands of 2.0 hectares in size or larger or woodlands greater than 0.5 hectares and less than 2.0 hectares that have been identified as significant. An evaluation of significance will be required when unevaluated Natural Heritage features are identified. The 2-hectare value was selected based on the Provincial Policy Statement Natural Heritage Reference Manual, which states that "where woodland is less than 5% of the land cover, woodlands 2 hectares in size or larger should be considered of significance.

It shall be the objective of Chatham-Kent to:

4.4.2.1 Ensure that development and site alteration results in no negative impacts on significant natural features in Chatham-Kent.

It shall be the policy of Chatham-Kent that:

4.4.2.2.1 Significant natural features shall be identified in an overlay designation on Schedule "C" Series – Natural Heritage and Hazards to this Official Plan.

4.4.2.2.2 The lands designated, or which may be designated in the future, on the Natural Heritage overlay designation on Schedule "C" Series – Natural Heritage and Hazards Features include:

a) Fish Habitat, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Coastal Wetlands, and Significant Areas of Natural and Scientific Interest, and waters supporting aquatic species at risk listed under Schedule 1 of SARA and their critical habitats;

b) Lands and Waters adjacent to: Provincially Significant Wetlands, Significant Coastal Wetlands, Locally Significant Wetlands, the Habitat of Endangered or Threatened Species, Fish Habitats, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Significant Areas of Natural and Scientific Interest, and waters supporting aquatic species at risk listed under Schedule 1 of SARA and their critical habitats.

4.4.2.2.3 Development and site alteration may be permitted within and adjacent to those areas identified on Schedules "C" Series – Natural Heritage and Hazards Features, and adjacent to Provincially Significant Wetlands and Significant Coastal Wetlands designated on Schedules "A" and "E" Series – Land Use, and adjacent to Habitat of Endangered or Threatened Species approved by the Ministry of Natural Resources, and adjacent to waters supporting aquatic species at risk that are listed under Schedule 1 of SARA or their critical habitats as identified on DFO species at risk distribution maps located on the Conservation Ontario website, provided that it has been demonstrated to the satisfaction of the Municipality, in consultation with the Ministry of Natural Resources, Conservation Authorities and/or Fisheries and Oceans Canada, that there will be no negative impacts on the natural features or the ecological functions for which the area was identified.

4.4.2.2.4 Lands within 120 metres of a Provincially Significant Wetland or Significant Coastal Wetland boundary are deemed to be adjacent lands. A development application that includes adjacent lands will require an Environmental Impact Statement with the development application, in accordance with Section 4.8 of this Official Plan.

4.4.2.2.5 Fish Habitat is not identified on the Schedules to this Official Plan and will be identified through consultation with the appropriate Conservation Authority, Ministry of Natural Resources, or Fisheries and Oceans Canada. A development application that includes land within or adjacent to Fish Habitat will require an Environmental Impact Statement in accordance with Section 4.8 of this Official Plan. Lands within 30 metres of the seasonal high water mark are deemed to be adjacent lands.

4.4.2.2.6 All woodlands 2.0 hectares in size or larger are Significant Woodlands. Woodlands greater than 0.5 hectares and less than 2.0 hectares in size are considered candidate significant woodlands. Candidate significant woodlands will need to be evaluated for their significance through an ESSR or EIS process. If the woodland is greater than 0.5 hectares and less than 2.0 hectares and meets one of the significance criteria identified in the Natural Heritage Reference Manual, then the woodland is significant. Significant Woodlands are identified on Schedules "C" Series – Natural Heritage and Hazards Features. A development application that includes land within or adjacent to Significant Woodlands will require an Environmental Impact Statement in accordance with Section 4.8 of this Official Plan. Lands within 120 metres of the woodland boundary are deemed to be adjacent lands.

4.4.2.2.7 Significant Areas of Natural and Scientific Interest (ANSIs) are identified by the Ministry of Natural Resources. ANSIs are identified on Schedules "C" Series – Natural Heritage and Hazards Features. A development application that includes land within or adjacent to ANSIs will require an Environmental Impact Statement in accordance with Section 4.8 of this Official Plan. Lands within 120 metres of a Life Science ANSI or 50 metres of an Earth Science ANSI are deemed to be adjacent lands.

4.4.2.2.8 Significant valleylands are not identified on the Schedules to this Official Plan, but may be identified in the future and added by amendment to Schedule "C" Series – Natural Heritage and Hazards Features. If valleylands are identified on Schedule "C," a development application that includes land within or adjacent lands within 120 metres of the identified valleylands will require an Environmental Impact Statement in accordance with Section 4.8 of this Official Plan.

4.4.2.2.9 Significant wildlife habitat is not identified on the Schedules to this Official Plan, but may be identified in the future and added by amendment to Schedule "C" Series – Natural Heritage and Hazards Features. If significant wildlife habitat is identified on Schedule "C," a development application that includes land within wildlife habitat or adjacent lands within 120 metres of the identified wildlife habitat will require an Environmental Impact Statement in accordance with Section 4.8 of this Official Plan.

4.4.2.2.10 It is recognized that not all natural heritage features have been mapped, and that additional features may be identified and evaluated over time through Municipal studies, Environmental Site Screenings or Environmental Impact Studies. The Municipality will require that natural heritage features

identified through studies be appropriately identified and/or designated in the Official Plan and placed in an appropriate zone classification to protect the features. In addition, the Municipality may require conservation easements to be applied to assure the long-term environmental management of these features. The Municipality will encourage the use of available incentive programs to achieve these means.

4.4.2.2.11 Site provisions will be applied to restrict the placement of main and accessory buildings, pools, fencing, landscaping and septic systems in the adjacent lands as identified in Section 4.4 of this Plan.

4.4.2.2.12 Where required for park or open-space purposes, the Municipality will request that the adjacent buffer lands be dedicated into public ownership as part of the parkland dedication under the Planning Act. Lands dedicated for stormwater management facilities will not constitute a parkland dedication under the Act.

4.4.2.2.13 The boundaries of Natural Heritage Features identified on Schedule "C" Series – Natural Heritage and Hazards Features may be further refined through an EIS and in consultation with the appropriate authority. Refinements of boundaries that represent less than 30 metres of change on the landscape do not require an amendment to this Plan. Changes to boundaries of 30 metres or greater will require an amendment to this Plan.

4.4.2.2.14 The Municipality shall consider the need for a more detailed Natural Heritage System Study in order to further identify natural heritage systems within Chatham-Kent and to develop more detailed recommendations and strategies for the long-term protection and restoration of the natural heritage systems.

4.4.2.2.15 Removal of a Natural Heritage Feature which would have the effect of lowering or eliminating the Natural Heritage classification in the Official Plan, and/or eliminating the need to do an EIS to permit development or site alteration will not be sufficient grounds for amending the planning document to another lower classification and will invalidate the EIS. To assist with detecting the alteration of a Natural Heritage Feature or area over time, the Municipality will use aerial photography as one tool to establish the alteration in relation to the enlargement or retraction of a feature or area.

4.4.3 Potential Natural Heritage Corridors

Due to the fragmented nature of the landscape in Chatham-Kent, the identification and restoration of corridors and linkages is a very important natural heritage system component. Corridors are areas in the landscape that contain and connect natural areas, open space and other resources. Woodlands, wetlands and grasslands, combined with valley systems, streams, river corridors and lakeshores form a functional ecosystem, which provides essential resources and functions to humans and terrestrial and aquatic species. These core areas can be a part of or connected to corridors, depending on the scale of the corridors. Corridors provide links between natural areas and are potential buffers between natural and human communities.

It shall be the objective of Chatham-Kent to:

4.4.3.1 Protect potential natural corridors through the development review process in Chatham-Kent.

It shall be the policy of Chatham-Kent that:

4.4.3.2.1 Natural corridors and linkages are not identified on the Schedules to this Official Plan, but may be identified in the future and added by amendment to Schedule "C" Series – Natural Heritage and Hazards Features.

4.4.3.2.2 Further analysis of regional and watershed corridors in conjunction with watershed planning activities and in cooperation with affected agencies and landowners shall be undertaken to identify more precise corridor boundaries.

4.4.3.2.3 Efforts shall be made through the development approvals process to protect potential natural corridors and linkages from the impacts of development.

4.4.3.2.4 Chatham-Kent shall implement a Forest Management Strategy to protect existing forested areas, reforest target natural corridor areas, increase forest cover to at least 10% of total land area of Chatham-Kent, and provide for complementary uses of forested areas that would allow for greater and more practical uses for these areas, while , at the same time, maintaining the forest and the benefits that accrue from these natural areas. A combination of policy, practices, programs, regulations and enforcement shall be used to implement the Strategy.

4.5 WATER RESOURCE PROTECTION POLICIES

4.5.1 Water Resources

Water resource management is essential to sustaining and enhancing the natural environmental assets of Chatham-Kent, and it is a key component of the natural heritage system strategy. Water resource protection policies also directly support the policies for providing safe and healthy communities and for developing a thriving economy.

Water resources consist of surface waters (e.g., in rivers, streams and lakes) and groundwater, which originates as drops of water within the pores and spaces of

underground soils and formations. Many natural features directly affect or contribute to surface and groundwater quantity and quality, including wetlands and woodlots above the ground, and the clays, tills and bedrock below the ground.

Major surface water features for Chatham-Kent include Lake St. Clair to the west, Lake Erie to the east and south, the Thames River that flows through the centre of the Municipality from the northeast corner to the southwest, and the Sydenham River in the northwest. Surface water, primarily from Lake Erie, is the main source of municipal water supply for the Urban Centres in Chatham-Kent. The majority of the rural population relies on municipal groundwater systems or private groundwater wells for domestic, commercial and agricultural uses.

A detailed description of Chatham-Kent's groundwater resources is contained in the Essex/Chatham-Kent Groundwater Study. This regional study provided a comprehensive assessment of the geology, hydrogeological setting, aquifers, groundwater use and potential contaminant sources in the study area. The municipal wellhead "capture zones" were identified and mapped. For the whole Municipality, the areas of high, medium and low "intrinsic susceptibility to groundwater contamination were defined and mapped.

The surface geology across Chatham-Kent is dominated by deep clays and low permeability tills that provide a natural protective layer for the groundwater resources. There are currently two municipal groundwater supply systems operated by Chatham-Kent: 1) the Highgate System and 2) the Ridgetown System. Both systems utilize multiple wells located within or in close proximity to these villages. Schedule "D" Series – Wellhead Protection depicts the 2-year, 5-year, and 10-year time of travel zones for each of the well systems. These areas are a surface representation of the area within the underground aquifer from which the municipal wells draw their water.

The Highgate and Ridgetown Wellhead Protection Areas (WHPAs) are generally capped by a glacial till layer, which varies in thickness from several metres to tens of metres. This till layer provides an excellent geologic barrier between surface activities and the underlying aquifer.

As the final component of the Essex/Chatham-Kent Groundwater Study, a groundwater management sourcebook was developed including a synthesis of first principles of groundwater management; an overview of the federal, provincial, and municipal legislation and policies regarding groundwater protection; examples of model groundwater protection initiatives; and the specific groundwater protection issues and management measures for Essex and Chatham-Kent. The Study's technical report and sourcebook will serve as a reference document for the individuals and organizations involved in water resource management and protection, and it is a background document for this Official Plan.

As a follow-up to the Groundwater Study, a Water Resource Management Strategy will be completed. This Strategy will outline the specific actions to be taken by Chatham-Kent to support or implement the groundwater management measures summarized in the Groundwater Study. The specific Official Plan water resource protection policies to be implemented by Chatham-Kent will be summarized, along with the non-regulatory initiatives to be undertaken or supported, such as education programs, stewardship programs and funding initiatives. The Strategy will focus on implementation through

partnership, resource sharing and coordination of activities between the Municipality and the province, conservation authorities, agricultural associations and the health unit.

The intention of this Official Plan is to contribute to and provide for the long-term protection and enhancement of water resources in Chatham-Kent, both for the ecosystem benefits and for sustainable growth and development. This includes making provisions for further investigation and characterization of the resources to better facilitate appropriate development with resource protection. This intent will also be realized through implementation of policies related to:

a) watershed planning;

b) surface water and flood protection;

c) wellhead area protection; and

d) groundwater impact assessment.

In the wake of the Walkerton tragedy, Justice O'Connor identified Source Water Protection as the first of five barriers to protecting drinking water. The Conservation Authorities are working in partnership with the province to collect information to support the development of Source Water Protection Plans. Source Water Protection Plans have been prepared for Chatham-Kent. When the plans come into effect, appropriate and relevant policies and mapping from the plans will be implemented by way of amendment to this Official Plan.

It shall be the objective of Chatham-Kent to:

4.5.1.1 Protect and enhance ground and surface water resources in Chatham-Kent.

It shall be the policy of Chatham-Kent to:

4.5.1.2 Complete and implement the Water Resource Management Strategy.

4.5.2 Watershed/Subwatershed Planning Policies

Water resources are best understood, monitored, managed and enhanced from a watershed perspective. Watershed planning provides for the comprehensive consideration of water balance, water quality, and water quantity, along with water-related natural features, terrestrial resources, aquatic life and other key ecosystem indicators. Such planning incorporates recognition of the interdependence of ground and surface waters, including ongoing recharge and discharge functions. It is supported by the Provincial Policy Statement, and has been identified as the most appropriate approach to surface and groundwater protection through the Report of the Walkerton Inquiry and the Report of Ontario's Advisory Committee on Watershed-Based Source Protection Planning. The results of watershed planning not only provide a basis for systemic resource protection, but are also a tool to apply in areas of development pressure or intensive uses.

It shall be the objective of Chatham-Kent to:

4.5.2.1 Promote watershed planning in Chatham-Kent.

It shall be the policy of Chatham-Kent that:

4.5.2.2.1 The Municipality shall participate in and may contribute financially to watershed and subwatershed management studies in cooperation with the Conservation Authorities, provincial ministries, other organizations, and adjacent municipalities as appropriate.

4.5.2.2.2 The Municipality shall support the undertaking of watershed/subwatershed plans for the Primary Urban Centres, focusing first on areas where pressure for development or intensive uses exists, where significant environmental concerns are identified and/or where funding permits.

4.5.2.2.3 The Municipality shall jointly determine, in conjunction with the Conservation Authorities and relevant provincial agencies, the priorities for completion of additional publicly funded watershed or subwatershed studies based on identified environmental sensitivities, development pressures and current levels of environmental impact or degradation.

4.5.2.2.4 Watershed studies may include the following components:

a) a water budget and water conservation plan;

b) identification of land and water use and management strategies;

c) criteria to protect water quality and quantity and the functions of hydrological features;

d) a framework for implementation, which includes more detailed plans covering smaller areas;

e) an environmental monitoring plan;

f) water resource management practices and protection measures such as well decommissioning, pesticide best practices and road salt management.

4.5.2.2.5 Subwatershed studies may address the following:

a) determination of subwatershed boundaries;

b) the location, extent, sensitivity and significance of natural features, habitats and surface and groundwater systems;

c) land and water linkages and processes;

d) factors influencing the viability of the identified resources;

e) goals and objectives for public health and safety, aquatic life, resource management, floodplain management, and land uses;

f) areas requiring protection, rehabilitation and/or enhancement;

g) strategies to achieve protection, rehabilitation and/or enhancement;

h) areas suitable for development and development conditions;

i) an implementation plan and monitoring program.

4.5.3 Flood Protection Policies

The Provincial Policy Statement sets out guidance regarding expectations for protection from natural hazards including flooding and erosion.

The policies in this section should be read in conjunction with the policies in Section 2.4.9 Stormwater Management.

It shall be the objective of Chatham-Kent to:

4.5.3.1 Protect people and property from natural hazards in Chatham-Kent.

It shall be the policy of Chatham-Kent that:

4.5.3.2.1 Flood and erosion constraint areas consist of Floodplains, which may consist of Floodway, Floodfringes, Special Policy and erosion setback areas, as identified through consultation with the appropriate Conservation Authority. Flood and erosion constraint areas are identified on Schedule "C" Series – Natural Heritage and Hazards Features.

4.5.3.2.2 Development and site alteration will generally be directed outside of areas of flooding, erosion, and/or dynamic beach hazards along lakefronts, rivers and stream systems. Development and site alteration, however, may be permitted on certain floodplains and erosion constraint areas provided that:

a) the flood hazard can be safely addressed;

b) no new hazards are created or existing ones aggravated;

c) no adverse environmental impacts will result;

d) vehicles and people can safely enter and exit the area during times of flooding; and

e) the development does not include:

i. an institutional use associated with hospitals, nursing homes, preschool, school nurseries, day care and schools;

ii. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; and

iii. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

4.5.3.2.3 Development and site alteration will not be permitted within Shoreline Hazard Lands.

4.5.3.2.4 Expansion of existing development within Shoreline Hazard Areas delineated in the Zoning By-law will require the approval of the appropriate Conservation Authority under the relevant Conservation Authority Regulations. Required maintenance and small-scale alterations to buildings will be permitted subject to the relevant Conservation Authority Regulations.

4.5.3.2.5 The Municipality will explore opportunities for longer term solutions to recurrent flooding where existing development exists within Shoreline Hazard Areas.

4.5.3.2.6 Hazard Areas will be zoned in the implementing Zoning By-law for Chatham-Kent.

4.5.3.2.7 Where the need has been identified, the Municipality will support detailed studies to identify and define natural hazard areas for streams, rivers, lakefronts and connecting channels in Chatham-Kent in cooperation with the appropriate Conservation Authorities. These studies will be undertaken to conserve the natural ecosystem, capitalize on tourism potential, protect adjacent land uses and enhance public safety.

<u>It is specifically noted that:</u>

Given the significant rate of erosion that has occurred in some areas along the Lake Erie Shoreline, the Municipality, in cooperation with the Conservation Authorities, will undertake a more detailed Coastal Study analysis to determine a development strategy for this area, which will consider bank stability, the rate of erosion, appropriate mitigation measures and the identification of lands that are unsafe for development.

4.5.3.2.8 More detailed Secondary Plans have been prepared for the Urban Centres and Hamlets designated on Schedule "A" Series – Land Use in Part A of this Official Plan. Those secondary plans are located in Part B of this Plan. Lands with Natural Hazards within those designated Urban Centres and Hamlets will be designated "Hazard" on the Land Use Schedule for the applicable Secondary Plan. Those plans will be read in conjunction with their respective Secondary Plan policies.

4.5.4 Wellhead Area Protection Policies

As noted above, there are two municipal groundwater supply systems in Chatham-Kent: one for the village of Highgate and one for Ridgetown. Both systems utilize multiple wells located within or in close proximity to the towns, and both represent the primary source of drinking water for the urban residents.

The 2-year, 5-year and 10-year time of travel zones for each of the well systems are shown on Schedule "D" Series – Wellhead Protection. It is important that all lands within the largest wellhead zones (the 10-year zones) be protected from contamination, given the potential for impacts on municipal water supplies. It is also important that additional protection or monitoring measures be applied in the 2-year and 5-year zones, where impacts could occur within a shorter timeframe and less time would be available to achieve corrective measures.

Wellhead area protection should focus on:

a) maintaining the integrity of the protective till cover, including well decommissioning within the wellhead area, impact assessments for development proposals involving potentially contaminating activities, and wellhead area education programs; and

b) the development of a sentinel monitoring system to provide advance warning of unforeseen contamination within the aquifer.

Well Decommissioning: The most recognizable threat to the integrity of the till cover within a wellhead area is the presence of numerous wells, particularly abandoned wells. These wells may have originally been drilled as water supply wells for domestic use, but now represent a direct conduit through the till cover, which could allow surface contaminants direct access to the underlying aquifer unit. Proper decommissioning of these wells is needed for wellhead area protection.

Land Use Development Groundwater Impact Assessments: The development of surface activities within the Wellhead Protection Area (WHPA) should be individually evaluated to verify that they do not pose a serious threat to the public drinking water supply.

Wellhead Protection Area (WHPA) Education Program: The general public needs to be educated regarding the location, rationale, and justification for the various plans and policies developed to protect the WHPA. The general awareness of a groundwater protection area and an understanding of the rationale for its designation can lead to public acceptance of and involvement in wellhead area protection.

Designation or Development of Sentinel Wells: Experience shows that the most cost-effective method for developing a comprehensive sentinel well network is to utilize existing wells, if available, and construct dedicated observation wells only at critical locations where no existing wells are available. The sentinel well monitor network needs to be dispersed among the entire WHPA, with an increase in concentration within the smaller time-of-travel zones. For sites where higher-risk contaminants are known to be present, specific sentinel well monitors between the site and the wells may be necessary.

Development of Sampling Strategy and Data Assessment: The sentinel wells should be measured periodically to ascertain both physical and chemical parameters. For an initial three-year period, water levels should be recorded quarterly to ascertain seasonal fluctuations, and water chemistry should be measured semi-annually (preferably spring and fall). The chemical parameters measured need to be tailored to the potential contaminants suspected in the region. There are several general screening tests that are relatively inexpensive, and although they are unspecific regarding contaminants, they do indicate contaminant presence. If these indicator tests demonstrate a positive presence, then a focused sampling program would be required. The water level and chemistry data need to be compiled in a database and annually reviewed by a professional hydrogeologist to ascertain if any contamination is present or if modifications to the sampling program are necessary. Once a solid baseline of data has been established, sampling frequency can be decreased in areas that have been demonstrated to be free from problems.

It shall be the objective of Chatham-Kent to:

4.5.4.1 Protect the Highgate and Ridgetown Wellhead Areas from contamination.

It shall be the policy of Chatham-Kent that:

4.5.4.2.1 All abandoned wells within the Wellhead Protection Area (WHPA) should be decommissioned in accordance with MOE regulations.

4.5.4.2.2 Within the 10-year zones for the wellhead areas, the Municipality shall require a Category 4 groundwater impact assessment as defined in Section 4.9 for development proposals involving any activity with medium- to high-risk groundwater contaminants.

4.5.4.2.3 The Municipality shall develop a Wellhead Protection Area (WHPA) public awareness program, including a system of signs positioned along the roads at the WHPA boundaries, informing the public that they are crossing into a groundwater protection area, and a public display that provides background information, publications, and phone contacts for display at various public events.

4.5.4.2.4 Chatham-Kent will implement a Wellhead Protection Area Sentinel Monitoring Program.

4.5.5 Groundwater Impact Assessment Policies for all other lands (other than Municipal Wellhead Areas)

The Municipality has recognized that the groundwater resources throughout the Municipality represent a valuable resource and that, in many cases, the Municipality may be the best steward of these resources. While the information provided in the Essex/Chatham-Kent Regional Groundwater Study provides a thorough regional perspective of the Municipality's water resources, the application of these scientific principles to site-specific surface activities requires an additional suite of analyses. A

graduated approach for groundwater impact assessment is required for municipal decision makers, property owners and developers to determine (in a manner which is not cost prohibitive to proponents) whether a proposed or existing land use will negatively impact water resources.

The Chatham-Kent groundwater impact assessment approach, as detailed in Appendix 4.3, utilizes the Intrinsic Susceptibility Index (ISI) map in conjunction with an assessment of the potential risk to the water resources to determine whether a groundwater assessment is necessary and, if necessary, the extent of the required study. For activities that do not use or generate contaminants, no study would be required (i.e., individual houses). Should a proposed development use or possess potential contaminants, a study would be required to categorize the threat to the groundwater resource. The degree of study would depend upon the ISI index identified from the map and the risk generated by the contaminant. A sample list of potential groundwater contaminants is listed in Table 2 in Section 4.9.

It shall be the objective of Chatham-Kent to:

4.5.5.1 Prevent impacts to groundwater resources.

It shall be the policy of Chatham-Kent that:

4.5.5.2.1 The Municipality shall require groundwater impact assessments for development proposals as appropriate, according to the level of intrinsic susceptibility and potential groundwater contaminants, if any, based on the protocol outlined in Section 4.9.

4.6 AIR QUALITY

It shall be the objective of Chatham-Kent to:

4.6.1 Reduce air pollution and nuisance effects of air emissions.

It shall be the policy of Chatham-Kent that:

4.6.1.1 Proposals for development will give consideration to:

a) Whether the proposal includes opportunities for non-automotive forms of transportation such as walking and cycling;

b) Adequate separation distances giving consideration to wind direction for developments that may have air emissions;

c) Whether the proposal has the potential to increase air pollution and, if so, what remedial measures are proposed;

d) Locating various land uses in such a manner that reduces the distance and number of vehicle trips;

e) Whether the proposal protects and improves trees and natural areas.

4.7 OPEN SPACE AND CONSERVATION

The Municipality of Chatham-Kent encompasses a diverse range of parks, natural areas, and recreation facilities, enhanced by the water-based recreation opportunities offered by the extensive shorelines on Lake Erie and Lake St. Clair, and the Thames and Sydenham Rivers. In addition to a conventional range of municipal parks, the open space system includes a number of special recreation areas that make Chatham-Kent unique and attractive to both residents and visitors. Eco-tourism is an important and growing industry, with bird watching, recreational fishing and waterfowl hunting associated with the coastal marshes of eastern Lake St. Clair and Rondeau Bay, attracting people from around the world.

There is a rich system of natural environment areas represented by the marshes of Lake St. Clair, the beaches of Lake Erie, and the river systems. In pre-settlement times, it is estimated that over 60% of Chatham-Kent's landscape was wetland, 16% was forest and approximately 12% was tallgrass prairie. Agriculture in the region has reduced both wetlands and forest cover in Chatham-Kent to less than 4% each. Two provincial parks and several conservation lands protect the Municipality's most significant natural features and offer recreational opportunities.

The open space and conservation system in Chatham-Kent comprises the following:

Nature Reserves

The St. Clair National Wildlife Area is a national wildlife preserve located on Lake St. Clair, south of Mitchell's Bay. Part of the Lake St. Clair Marsh complex, the site is composed of 289 hectares and is designated a Wetland of International Importance under the Ramsar Convention for its waterfowl habitat, and is part of a Provincially Significant Life Science ANSI. A proposal has been put forward for the restoration of an additional 1,000 acres of wetland, within the vicinity of the Lake St. Clair marshes.

Provincial Parks

Chatham-Kent is host to three Provincial Parks: Roundeau, Wheatley, and Clear Creek Forest.

Conservation Lands

The Municipality straddles the watersheds of two Conservation Authorities, the Lower Thames Valley Conservation Authority and the Lake St. Clair Region Conservation Authority. The Lower Thames Valley Conservation Authority has over 100 hectares of land in eight Conservation Lands. The Lake St. Clair Region Conservation Authority (SCRCA) has jurisdiction over the Sydenham River watershed. SCRCA owns a number of tracts of land along the Sydenham River that provide recreation, nature study, land management and flood control. The St. Clair Region Conservation Authority also owns property in Wallaceburg and Dresden.

Municipal Parks and Facilities

Within the Urban Centres and Hamlets, the Municipality manages and maintains approximately 566 acres (229 hectares) of active and passive open space including 143 parks, 10 arenas, 2 indoor pools, 13 community centres/halls, 10 outdoor arenas, and 115 sports fields.

The system of parks in the larger Urban Centres of Chatham and Wallaceburg include a range of park types from small lots that provide local play facilities to larger community parks that offer a range of sports fields and recreation facilities.

The smaller Urban Centres also offer well-developed parks systems focused around a centralized community park. A number of the Urban Centres offer waterfront parks associated with lakes or river systems.

With extensive frontage on both Lake St. Clair and Lake Erie and two river systems, Chatham-Kent offers water-based tourism and recreation activities. The Municipality owns and operates beaches at Mitchell's Bay on Lake St. Clair, at Clearville Park, Getty's Beach (Wheatley), Laverne Kelly Memorial Park (Erieau), and Terrace Beach Park (Morpeth), along with public marinas in Wallaceburg and Chatham. Marine Park in Mitchell's Bay offers both seasonal and transient mooring, serviced campsites and eight boat launch ramps.

Trails and Greenways

Within the Municipality of Chatham-Kent, there are a range of trail opportunities, from multi-use pathways within the urban areas to extensive nature trails systems within the conservation lands and provincial parks.

In the municipal park system, Chatham has the most defined trail system, consisting primarily of on-road routes, linked where possible to trails within the major parks and greenways established along the Thames River and Mud Creek systems. Ridgetown also offers an urban greenway and trail system through its downtown core.

The Thames River through Chatham and the Sydenham River through Wallaceburg and Dresden are significant systems that, if protected as greenway corridors, offer trails and recreational boating opportunities at both a local and regional level. Smaller creek systems and drains within the Urban Centres should be considered as future greenway systems.

The Natural Heritage policies in this Plan identify a system of forests, features and corridors, many of which are in private ownership. This system provides support to the public natural spaces, and enhances the overall health and integrity of the natural systems in Chatham-Kent.

In a comprehensive and planned municipal open space and conservation system, parks and other open space lands function in a complementary and interconnected manner, based on a natural systems framework. The recreational objectives of a community are met through a combination of active parkland and other open space lands such as floodplains, conservation lands, woodlands and linear open-space systems associated with creeks and

drains that play a valuable role in the provision of passive recreation opportunities. These lands need to be identified on a Municipality-wide basis with supporting land-use and environmental policies to ensure that the natural heritage system is the underlying framework for the municipal open space and conservation system. Within the Urban Centres and Hamlets, the development of an interconnected system of parks linked by greenways and walking/cycling trails will allow for the consolidation of community facilities in more centralized areas, accessible to a number of residential neighbourhoods.

It shall be the objective of Chatham-Kent to:

4.7.1 Identify and protect an open space and conservation system based on the natural heritage framework in the Municipality.

It shall be the policy of Chatham-Kent that:

4.7.2.1 As part of a Parks and Recreation Master Plan exercise, the Municipality shall develop a comprehensive parks/open space and conservation plan for Chatham-Kent.

4.7.2.2 In support of the development of a conservation/greenlands system, the Municipality shall support the protection and/or acquisition of hazard lands (under private or municipal authority) associated with creek and river corridors, the Lake Erie and Lake St. Clair shore lands, Thames River and Sydenham River floodplains, and significant woodlots and wetlands.

4.7.2.3 The Municipality shall maximize opportunities to provide public access to lands that contribute to a regional open space system (i.e., trail easements, rights-of-way and management agreements).

4.7.2.4 The Municipality shall work with Conservation Authorities, the Ministry of Natural Resources, landowners and the public to protect and manage the greenlands system, and to support the delivery of parks and recreational services when the potential solutions will benefit from partnership and cooperation.

4.7.2.5 The Municipality shall pursue and encourage land stewardship.

4.7.2.6 The Municipality shall explore land securement strategies to implement the Natural Heritage, Open Space and Conservation system.

4.7.2.7 The Municipality shall adopt parks and open space standards that support the social, recreational and cultural needs of the community and that are sustainable. The parkland standards and parks hierarchy shall be evaluated through a Parks and Recreation Master Plan for Chatham-Kent.

4.7.2.8 Natural heritage areas shall not be accepted as parkland dedication under the Planning Act.

4.7.2.9 A hierarchy of parkland is in place such that:

a) ***<u>Municipal Parks</u> are important outdoor recreation venues and facilities that offer unique special purpose activities. They are normally located on arterial roads, but may also be site specific or based on venue features or environmentally significant lands. Tecumseh Park at the joining of the Thames River and McGregor Creek is an example of a municipal park. Municipal parks may also include sport tourism venues where a number of fields provide tournament venues for the Municipality and attract visitors from outside the Municipality through sporting events. The size of municipal parks will vary, depending on the function and purpose of the park, and may include a range of indoor and outdoor facilities;***

b) ***<u>Community Parks</u> are larger park venues serving outdoor recreational needs of residents within a cluster of neighbourhoods. The preferred location is on major roads to provide easy access by walking, cycling, trails, automobiles and public transit, and to reduce impacts on surrounding neighbourhoods. These parks are multipurpose and offer passive and active recreation areas for both programmed and non-programmed use. They offer year-round recreational opportunities, and may include sport fields, community and specialized facilities, outdoor swimming pools and splash pads. Community parks can also provide a neighbourhood park function to the immediate residential area. For new community parks they should be well-connected to the surrounding neighbourhoods in the form of walkways and community trails, connecting other destinations within the urban area;***

c) ***<u>Neighbourhood Parks</u> are the primary park venues to satisfy the basic open space and recreation requirements of the Municipality. Neighbourhood parks traditionally serve one or two neighbourhoods with the recommended service radius of 600 to 800 metres for developed areas or walking distance of five to ten minutes. These parks accommodate both passive and active activities and serve all age groups within the neighbourhood; and***

d) ***<u>Parkettes</u> are small open space sites that provide venues for special commemorative events and passive rest areas and contribute to the community's urban design. Parkettes will continue to have an important ceremonial function in commemorating and celebrating various community contributions to Chatham-Kent, Ontario and Canada. These small venues also serve as resting or gathering places for passive activities.***

4.7.2.10 ***In accordance with the Planning Act, as a condition to any development or redevelopment approval, the Municipality may require that land in an amount not exceeding 2% for commercial or industrial purposes and in an amount not exceeding 5% of developable lands or one hectare per 300 permitted dwelling units, whichever is greater, be conveyed to the***

Municipality for park or other public recreation purposes and/or more specifically:

a) That at least one Neighbourhood Park (minimum 2.0 ha) be required per 5,000 new residents or;

b) One Community Park (minimum 4.0 ha) be required per 15,000 new residents;

c) That new parkettes or small parkland dedication of less than 0.5 ha be discouraged, unless the community demonstrates a strong need for a commemorative park venue at the time of dedication; and

d) As an alternative, the Municipality may take cash in lieu of lands dedicated for parkland purposes. The value of the land shall be determined as of the day before the day that the planning approval was given. All moneys received as cash in lieu of land conveyance shall be paid into a special account and spent only for the acquisition of land, the erection of buildings and other structures, or the acquisition of equipment and machinery required for park and other recreational purposes.

4.7.2.11 Open space linkages shall be provided to link parks and neighbourhoods.

4.7.2.12 For planning purposes, it is the Provincial Parks Act, Ontario Provincial Parks Planning and Management policies and a Parks Management Plan that establishes the land use policies for each Provincial Park rather than this Official Plan.

4.7.2.13 The Municipality shall consider the establishment of a woodlot acquisition fund.

4.7.2.14 That the Municipality continue to work with federal and provincial governments and Conservation Authorities in the delivery of parks and recreation services.

4.7.3.1 <u>726438 Ontario Limited (formerly Baldoon Golf & Country Club)</u>

a) For the lands so depicted in this special policy area, the uses are restricted to a naturalization area as defined by the Zoning By-law.

4.8 ENVIRONMENTAL IMPACT STATEMENT (EIS)

4.8.1 Environmental Impact Statements (EISs) will be used to assess development adjacent to, or in some cases, within natural heritage features. These statements will be reviewed and assessed by the Municipality as part of the development review process.

4.8.2 Unless otherwise specified in this Plan, an EIS will be subject to peer review by the Municipality. The Municipality may request technical advice and/or direction from the appropriate agency that identifies or regulates the feature, such as the Lower Thames

Valley Conservation Authority, St. Clair Region Conservation Authority, Fisheries and Oceans Canada or the Ministry of Natural Resources. The purpose of the peer review is to provide the Municipality with an objective opinion of the EIS and its recommendations. The applicant will be responsible for all costs associated with the peer review.

4.8.3 Where an EIS is required by the policies of this Plan, the EIS will be prepared by a qualified professional with expertise in environmental science. The EIS must be completed and submitted for review with the application. The statement will:

a) identify the nature and the boundaries of any significant natural heritage features, ecological functions and values on or adjacent to the site that could potentially be adversely affected by the proposed development;

b) describe and map the proposed development activities, including building location, excavation site grading, landscaping, drainage works, roadway construction, paving, sewer and water servicing in relation to the environmental considerations identified in a) above;

c) identify the effects of the proposed development on the environmental considerations identified in a) above, taking into consideration the effects during and after site alteration;

d) evaluate the significance of all negative and positive effects identified in c) above on the environmental considerations;

e) itemize and recommend all measures that will be required to prevent or mitigate the negative impacts;

f) evaluate the cumulative effect that the project (in light of other known projects or activities) may have, following implementation of any mitigation measures on the identified natural features and ecological functions;

g) conclude with a professional opinion on whether negative effects on the natural features and ecological functions will occur, the significance of such impacts, and whether ongoing monitoring is required.

h) The Municipality may require ongoing monitoring as a result of the findings in the EIS.

4.8.4 Prior to undertaking a full EIS, the applicant shall submit an Environmental Site Screening Report (ESS), prepared by a qualified professional with expertise in environmental science.

a) An ESS shall include the following:

i. Location map;

ii. Description of the natural area potentially being affected;

iii. Background information of the site and adjacent lands;

iv. Relevant municipal or agency requirements;

v. Identification of potential issues and ecological linkages, natural processes and study area boundaries;

vi. Potential cumulative effects of development;

vii. Determination of information needs and availability of information; and

viii. Determination of the nature and extent of additional information or studies that may be needed.

b) The ESS shall include recommendations on the following options for further action:

i) Proceed to a full or scoped EIS, the details for which shall be summarized in the Terms of Reference that provide a starting point for the EIS.

ii) In areas of existing development, whether a full or scoped EIS is required;

c) If the site assessment identifies potentially significant natural heritage features or areas, then an evaluation of the significance of these features or areas may be necessary to determine whether an EIS is required.

4.8.5 In circumstances where there is a low likelihood of impact on the natural heritage feature(s), the Municipality may, in consultation with the appropriate agencies, waive the requirement for the EIS.

4.8.6 Notwithstanding the requirement for an EIS, one will not be required under the following circumstances:

a) Wildlife, wetland or fishery management projects or environmental education and research approved by the appropriate Conservation Authority and/or the Ministry of Natural Resources;

b) Infrastructure that has been authorized under an environmental assessment process.

4.9 PROTOCOL FOR GROUNDWATER IMPACT ASSESSMENTS

The following section outlines the four groundwater impact assessment categories relevant to the Water Resource Protection Policies of this Official Plan. The application and general requirements for each category are outlined below.

It should be noted that for many types of development proposals, the impact assessment requirements defined below will have been addressed through completion of the relevant provincial regulatory requirements. In these cases, the groundwater impact assessment required by the Municipality can be completed by referencing the results of the work done pursuant to provincial requirements.

The method for determining which category of groundwater impact assessment applies to a given development proposal is summarized in Table 1. As indicated, the level of groundwater impact assessment required is dependent upon both the level of intrinsic susceptibility of the proposed property to be developed, in addition to the type of potential groundwater contaminants associated with the activities to be carried out at the new development.

Category 1: No Study Required: If the proposed surface development will not utilize, possess, or generate any of the potential groundwater contaminants found on the attached list, no study should be required.

Category 2: Preliminary Groundwater Assessment: The assessment required for the Category 2 Assessment, which focuses on low- to medium-risk contaminants in low to medium susceptibility areas, will utilize existing site-specific information to verify the location, thickness, and lateral extent of aquifers and aquitards within a 1.0 km circumference from the subject site. Existing water wells, both public and private, need to be identified, and the groundwater depth and flow direction for any identified aquifers need to be categorized. This information is available through the Municipality's GIS database, but should be completed by a professional geologist. Should this site-specific assessment demonstrate a vulnerability of the groundwater system, general mitigation activities designed to prevent unforeseen contamination events should be outlined as a function of the municipal building permit.

Category 3: Intermediate Groundwater Assessment: The assessment required for the Category 3 Assessment, which focuses on high-, medium-, and low-risk contaminants in low, medium and high susceptibility areas, will utilize existing site-specific information to verify the location, thickness, and lateral extent of aquifers and aquitards within a 2.0 km radius from the subject site. Existing water wells, both public and private, need to be identified, and the groundwater depth and flow direction for any identified aquifers need to be categorized. This information is available through the Municipality's GIS data base, but should be completed by a professional geologist. Should this site-specific assessment demonstrate a vulnerability of the groundwater system, mitigation activities designed to prevent unforeseen contamination events should be outlined as a function of the municipal building permit.

Category 4: Enhanced Groundwater Assessment: The assessment required for the Category 4 Assessment, which focuses on high- and medium-risk contaminants in medium to high susceptibility areas and all Wellhead Protection Areas, will utilize existing site-specific information to verify the location, thickness, and lateral extent of aquifers and aquitards within a 3.0 km. radius from the subject site. Additionally, the drilling of an onsite observation well will be required to demonstrate the local site-specific parameters. The observation well will be made available to the Municipality for periodic water sampling and testing. Within the 3.0 km. radius, all water wells need to be identified and within a km. circumference, all abandoned wells need to be properly decommissioned. The groundwater depth and flow direction for any identified aquifers need to be categorized. This information is available through the Municipality's GIS database, but should be completed by a professional geologist. Should this site-specific assessment demonstrate a vulnerability of the groundwater system, mitigation activities designed to prevent unforeseen contamination events should be outlined as a function of the municipal building permit.

The following table identifies the division of the four groundwater assessment categories:

Table 1
Summary of Method to Determine the Applicable Groundwater Impact Assessment Category

Type of Activity	Lands with a Low ISI	Lands with a Medium ISI	Lands with a High ISI
Activities involving no potential groundwater contaminants	Category 1 applies	Category 1 applies	Category 1 applies
Activities involving low-risk groundwater contaminants	Category 2 applies	Category 2 applies	Category 3 applies
Activities involving medium-risk groundwater contaminants	Category 2 applies	Category 3 applies	Category 4 applies
Activities involving high-risk groundwater contaminants	Category 3 applies	Category 4 applies	Category 4 applies

Table 2

Examples of Potential Groundwater Contaminants
(Some of the examples may be regulated under the Planning Act, other Acts, or may not be regulated at all.)

Activities Involving Low-Risk Contaminants:

Activities Using De-icing Salt Storage Facilities
Activities Using Deep Injection Wells
Activities Using Storm Water Detention Facilities
Oil & Gas Production Wells
Onsite Septic for Apartments
Pesticide Application
Fertilizer Application

Activities Involving Medium-Risk Contaminants:

Animal Feedlots
Animal Manure Application
Sludge Disposal Site
Petroleum Storage/Pipelines
Mining Activities
Parking Lot Runoff Detention Facilities
Onsite Septic for Schools
Onsite Septic for Small Businesses
Sewage Wastewater Irrigation
Waste Transfer Stations
Aboveground Storage Tanks
Activities Using Regulated Hazardous Materials

Activities Involving High-Risk Contaminants:

Solid Waste Disposal Facilities

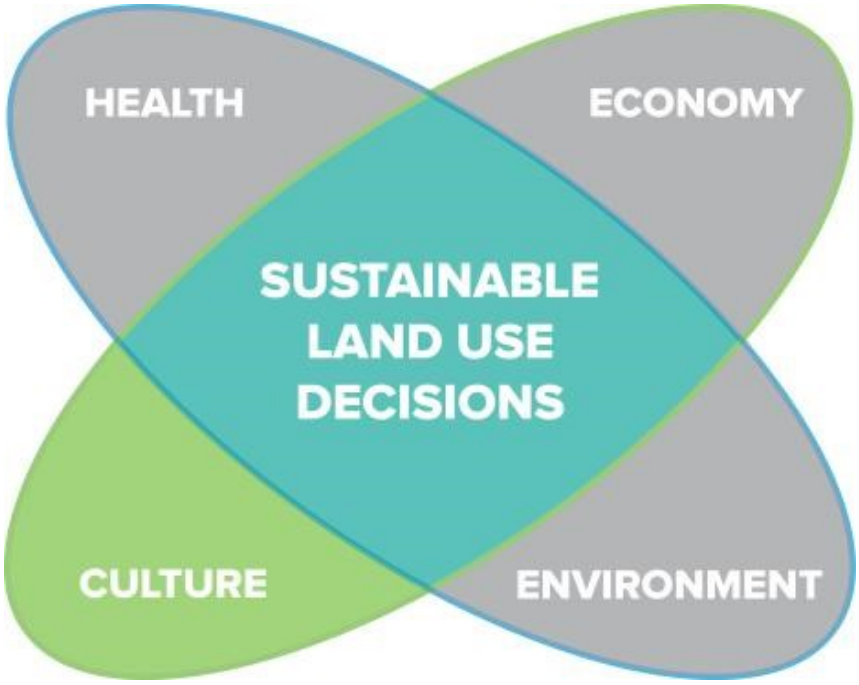
Activities Using Hazardous Waste Storage
Activities Using Industrial/Agriculture Injection Wells
Activities Using Biological/Toxic Waste
Activities Using Radioactive Materials
Petroleum Refining
Activities Using Below Ground Storage Tanks

PART A SECTION 5

CULTURE

5. CULTURE

5.1 OVERVIEW



In 2007, the Municipality completed a Cultural Plan for Chatham-Kent. As part of that planning process, the following Vision of Culture for the Municipality was established:

- *We see creativity and culture as central to what makes us a community in which people wish to live, work, play and invest.*
- *We see our creative and cultural industries as important and expanding sources of employment and economic growth.*
- *We see culture as the foundation of our shared identity as a municipality.*
- *We see a dynamic cultural tourism destination built on strong cultural attractions and our unique history and identity as a community.*
- *We see the authenticity and vitality of our downtowns as essential cultural and economic assets.*
- *We value and support strong cultural organizations working together toward shared purposes.*
- *We value creativity and culture as tools for celebrating diversity and fostering inclusion.*

5.2 CELEBRATING OUR DIVERSE HERITAGE

The Ontario Heritage Foundation recognizes that the buildings and cultural artifacts of Ontario's past provide communities with fascinating clues to the social, economic and cultural lives of those who came before us. The built and cultural heritage of the Chatham-Kent area dates back to when the land was first inhabited by First Nations peoples. The First Nations Peoples have, for generations, exercised their cultural and ancestral connections to the lands and waters in and around Chatham-Kent. These connections continue today, including engaging in hunting, fishing, trapping, gathering food and medicines, and other traditional activities. Although the history spans many hundreds of years, artifacts and remnants of the past are scarce resources, many of them lost due to urbanization and agricultural activities in the rural area. The conservation of heritage resources is very important to the Chatham-Kent community.

The Official Plan provides the policy framework and guidance for cultural heritage resource conservation in Chatham-Kent. In keeping with the Vision of Culture for Chatham-Kent, it provides for the implementation of the cultural heritage policies of the Provincial Policy Statement at the municipal level and the application of the Heritage Act for built heritage resources, cultural heritage landscapes and archaeological resources.

5.3 HERITAGE RESOURCE POLICIES

Cultural heritage resources include built heritage resources, archaeological resources, and cultural heritage landscapes. Cultural heritage is important because it provides communities with links to the past. Historical ecology focuses on the interaction between humans and the environments in which they live. Humans shape the environment and continually contribute to transforming the landscape. Rather than focusing on one specific event, historical ecology aims to study and understand this interaction across time and space to gain a full understanding of cumulative effects. In addition, Chatham-Kent has a rich history that needs to be recognized, including aboriginal history and the area's unique history related to American slavery and the Underground Railroad.

It shall be the objective of Chatham-Kent to:

5.3.1.1 Support and encourage the preservation of the Municipality's rich cultural heritage resources.

5.3.1.2 Encourage the documentation, display, interpretation and celebration of the Municipality's cultural heritage.

It shall be the policy of Chatham-Kent that:

5.3.2.1 The Municipality shall conserve its significant built heritage resources and cultural heritage landscapes that are of cultural heritage value or interest in the landscape, and may use the Ontario Heritage Act to do so.

5.3.2.2 Development and/or site alteration shall not be permitted on properties containing significant built heritage resources and/or cultural heritage landscapes, unless it is demonstrated through a heritage impact assessment prepared by a qualified professional to the satisfaction of the Municipality

that the significant built heritage resources or cultural heritage landscapes on or adjacent to the subject property(ies) will be conserved.

5.3.2.3 The Municipality may acquire significant heritage properties to effect the implementation of the heritage policies of this Plan in accordance with the provisions of the Planning Act, the Municipal Act, the Heritage Act or any other Act.

5.3.2.4 The Municipality shall ensure that any Municipally-owned heritage resource that is sold, transferred, or leased to another owner or lessee is subject to a heritage easement agreement, which will guarantee its conservation and require that it be used in a manner that respects its heritage significance. The municipality may require a heritage restoration agreement, which will require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Municipality.

5.3.2.5 In undertaking public works, the Municipality shall be consistent with the heritage policies in this Plan, with due consideration for known and potential cultural heritage resources.

5.3.2.6 Citizen participation in heritage conservation may be facilitated through a volunteer Municipal Heritage Committee (MHC) established by Council, pursuant to Section 28 of the Ontario Heritage Act. While the role of the MHC is primarily to advise and assist Council on matters related to Parts IV and V of the Ontario Heritage Act, Council may wish to expand their role to advise and assist Council on other matters of cultural heritage conservation.

5.3.2.7 The Municipality may also seek the advice of local historical societies, genealogical societies, etc. in addressing complex cultural heritage matters.

5.3.2.8 The Municipality may seek partnerships and coordinate with other levels of government, private agencies and individuals (i.e., local historical societies, genealogical societies, First Nations, etc.) in the conservation of heritage resources in the Municipality, and may participate in government programs available to assist in the implementation of heritage conservation policies.

5.3.2.9 The Municipality may prepare and maintain a cultural heritage database and/or heritage management plans for planning purposes, in consultation with the MHC, resulting in inventories of significant heritage buildings, heritage districts, cultural heritage landscapes, archaeological sites, and areas of archaeological potential within Chatham-Kent. The Municipality will also maintain a register of properties, endorsed by Council, containing properties designated under the Ontario Heritage Act. The register shall also contain a listing of properties worthy of designating under the Ontario Heritage Act, and the Municipality shall endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.

5.3.2.10 The Municipality may establish financial incentive programs relating to

heritage maintenance and preservation of resources that have been identified as having cultural heritage value.

5.2.3.11 The Municipality shall encourage the designation of sites of national significance as national historic sites.

5.3.2.12 The Municipality shall encourage the use of conservation easements registered on title as an alternative to designation under the Heritage Act.

5.3.2.13 The Municipality shall encourage its citizens to voluntarily register conservation easements on their property.

5.3.2.14 Where a heritage feature is part of a development proposal and the feature is not being dedicated to the Municipality, the requirement for a conservation easement may be included as a condition of approval for a Site Plan or Plan of Subdivision.

5.3.2.15 Adaptive re-use of heritage properties shall be promoted, such as the conversion of an historic building to a museum or community meeting space.

5.3.2.16 To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures shall be discouraged.

5.3.2.17 The Municipality may establish heritage conservation districts pursuant to the Heritage Act to control the erection, demolition or alteration of buildings. The boundaries of the heritage conservation district shall be established in consultation with the MHC, the affected property owners and the surrounding community. The following criteria shall be used to guide the establishment of a heritage conservation district:

a) An area of historic value or the area possesses at least one of the following criteria:

i) an example of the community's past social, cultural, political, technological or physical development;

ii) a representative example of the work of an outstanding local, national or international personality; or

iii) associated with a person(s) who has made a significant contribution to the social, cultural, political, economic, technological or physical development of the community, province, country or the world.

b) An area of architectural value or interest if it possesses one of the following criteria:

i) a representative example of a method of construction that was used during a certain time period or is rarely used today;

ii) a representative example of an architectural style, design or period of building;

iii) it makes an important contribution to the urban composition or streetscape of which it forms a part;

iv) it is recognized as an important community landmark; or

v) a work of significant engineering merit.

c) An area recognized by the Minister of Culture as being archaeologically significant.

d) An area of historic value and/or of architectural value may also include other buildings or vacant properties that do not individually merit designation, but that constitute infilling among buildings of architectural or historical significance or are related in design concept or function, and therefore are necessary for the conservation of the overall character of the area.

5.3.2.18 The Municipality shall prepare urban design guidelines for heritage conservation districts to guide the erection or alteration of buildings.

5.3.2.19 A Community Improvement Plan area may encompass all or part of a heritage conservation district, so that grants, loans and/or tax incentives may be made available for the preservation and enhancement of heritage buildings.

5.3.2.20 The preservation of cultural landscapes in the rural areas such as hedgerows, stone fences or tree lines is encouraged.

5.3.2.21 The Municipality shall maintain information regarding areas of archaeological potential in Chatham-Kent. The Municipality may obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Tourism, Culture and Sport under the provisions of a municipal-provincial data-sharing agreement, for the purpose of heritage conservation planning.

The Municipality will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data-sharing agreement, as new archaeological sites are identified and entered into the Ontario Archaeological Sites Database.

Where a development is proposed on lands with archaeological potential, an archaeological assessment shall be required by a licensed archaeologist in compliance with the Standards and Guidelines for Consultant Archaeologists (2011), and the terms and conditions of an archaeological licence under the Ontario Heritage Act. Areas of archaeological potential shall be determined by the use of provincial screening criteria.

5.3.2.22 Development shall not be permitted on lands containing archaeological sites, unless the sites have been properly documented in accordance with provincial agency requirements and non-licensed alteration prohibitions in the Ontario Heritage Act have been waived.

5.3.2.23 Where significant archaeological resources must be preserved onsite, alteration that changes the heritage characteristics of the site and its features shall not be permitted.

5.3.2.24 Efforts shall be made to retain pioneer and other cemeteries in their original locations. However, relocation and reinternment to accommodate private development may be considered.

5.3.2.25 To recognize and support the strong African-American and African-Canadian influence on Chatham-Kent's heritage, the Municipality shall:

- ***a) make its facilities available for public celebrations and events in support of Black History Month (February);***
- ***b) work with the province to ensure appropriate signage along those sections of Highway 40 that are part of the African-Canadian Heritage Tour.***

5.3.2.26 The Municipality will develop a Municipal Archaeological Master Plan to:

- ***a) identify and map land containing archaeological resources or areas of archaeological potential within Chatham-Kent;***
- ***b) develop appropriate policies and procedures for fulfilling the requirements of the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act;***
- ***c) develop appropriate policies and procedures for implementing and utilizing the master plan when assessing the requirements for archaeological review during the development approval process; and,***
- ***d) to educate and provide clarity to the development community and the general public of their responsibilities relative to the preservation of archaeological resources.***

5.3.2.27 When the Municipality initiates the development of a Municipal Archaeological Master Plan, the appropriate First Nations shall be provided notification with regard to the identification of burial sites and significant archaeological resources relating to the activities of their ancestors, and they will also be invited to participate in the process.

5.4 HUMAN SERVICES POLICIES

In addition to "hard" services such as water and sewer services, Chatham-Kent also provides "soft" services such as homes for the aged and social housing, and delivers social assistance programs. These soft services are essential to maintaining the community's quality of life and ensuring that the special needs of socioeconomic groups such as seniors, the physically challenged and low-income persons are served within the Chatham-Kent community. Planning for human services also ensures that the Municipality offers adequate opportunities for education, recreation and the arts.

It shall be the objective of Chatham-Kent to:

5.4.1.1 Ensure that the needs of all socioeconomic groups within the Municipality are adequately served.

It shall be the policy of Chatham-Kent that:

5.4.2.1 The provision of housing stock that is affordable and accessible to lower income residents shall be encouraged, in accordance with the housing policies contained in Section 2.3.4 of this Plan.

5.4.2.2 The Municipality shall encourage the provision of social housing to meet the range of persons in need, in accordance with the housing policies contained in Section 2.3.4 of this Plan.

5.4.2.3 The provision of social infrastructure (e.g., day care centres) will be encouraged within larger development proposals. The Municipality may facilitate the provision of social infrastructure through bonusing policies that allow for increased development density where a developer provides certain facilities.

5.4.2.5 The Municipality shall have regard for the requirements of the Ontarians With Disability Act and:

a) prepare a Joint Accessibility Plan every year covering the identification, removal and prevention of barriers to persons with disabilities in their by-laws and policies, programs, practices and services;

b) establish a Joint Accessibility Advisory Committee, the majority of members being persons with disabilities, to address accessibility issues for the Municipality;

c) seek the advice of the Joint Accessibility Advisory Committee on

the accessibility of all existing and new municipal facilities, and, if appropriate, on the accessibility of development proposed in Site Plan Approval applications; and

d) the Joint Accessibility Advisory Committee shall advise Council annually about the preparation, implementation and effectiveness of the Joint Accessibility Plan.

5.4.2.6 The Municipality shall endeavour to provide a barrier-free, aesthetically pleasing environment where possible, including linkages, multi-use paths, trails and cycling routes to encourage and support recreational and utilitarian active transportation.

5.4.2.7 A volunteer Public Art Advisory Committee may be established to advise Council of the need and adequacy of public art in the Municipality. Public art in the Municipality may incorporate themes supporting local history, civic pride, business and technology.

5.4.2.8 The provision of public art in downtown areas and main streets of the Urban Centres shall be encouraged. Larger development proposals shall also be encouraged to incorporate public art. The Municipality may facilitate the provision of public art through bonusing policies that allow for increased development density where a developer provides public art. The appropriateness of the public art in a development proposal will be determined by the Public Art Advisory Committee.

5.4.2.9 In consultation with the School Boards, the need for new schools shall be identified. When closure and sale of a school is proposed, the open space component of the school site may be retained or incorporated in a redevelopment proposal.

5.4.2.10 A wide range of alternative educational opportunities shall be encouraged to support lifelong learning and skills development, including apprenticeship, cooperative learning and adult education.

5.4.2.11 Museums, theatres, cultural facilities, places of worship, health care facilities and recreation facilities in the Municipality shall be supported.

5.4.2.12 The programming of recreational facilities and activities shall be designed to meet the needs of the community.

5.4.2.13 New development shall be served with adequate emergency services. Stations for emergency vehicles will be located on arterial roads. New stations shall be designed to minimize negative noise, traffic or other impacts.

PART A SECTION 6
ACTION TOWARD SUSTAINABILITY

IMPLEMENTATION

6. IMPLEMENTATION

6.1 OVERVIEW

As noted in Section 1, Chatham-Kent has undertaken numerous studies, plans and strategies that address a multitude of subjects and collectively provide direction toward achieving sustainability around the pillars of health, economy, environment and culture to bind all parts of the whole together. These community-wide planning exercises have shown that there is an interest in preserving and enhancing the traditions that make the communities within Chatham-Kent distinctive, and to protect the natural environment through sound planning principles. Planning is an iterative process, and its purpose is to focus the community in a common direction to achieve sustainability through the lens of civic engagement.

The Official Plan is a key part of Chatham-Kent's planning policy structure that will guide land-use decisions in the Municipality. The goal of the Official Plan is to reflect the shared views of its citizens within the established provincial planning policy framework. The Plan also allows the Municipality to evolve in a way that will contribute to Chatham-Kent's prosperity and provide a range of opportunities to live, learn, work and play. To this end, the Municipality will establish a Sustainability Review Team to monitor, track and measure the success of the implementation of the policies contained in this Plan, and to ensure alignment with the numerous studies, plans and strategies.

6.2 BUILDING COMMUNITY THROUGH PARTICIPATION

The implementation of the Official Plan requires the efforts of both the Municipality and the public. The Municipality acts as the administrator of the Official Plan and is required by the province to maintain and update the Plan at regular intervals. Public input is needed to achieve a balance between the interests of the individual property owner and the interests of the larger Chatham-Kent community.

6.3 PLAN IMPLEMENTATION

Through the Planning Act, the Municipality is required to have an Official Plan. The Planning Act also empowers municipalities with various planning tools to implement the Official Plan. To use these tools, the Official Plan must identify these tools and make provisions for their use. Designation and specific implementation policies are contained in the applicable policy sections.

It shall be the objective of Chatham-Kent to:

6.3.1.1 Ensure that the Plan looks into the future to appropriately plan for the long-term needs of the community.

6.3.1.2 Use all appropriate mechanisms in the Planning Act, Municipal Act, Building Code Act and any other applicable legislation to assist in, or

facilitate, the implementation the Official Plan, which may include the passing of by-laws.

6.3.2 Planning Horizon

It shall be the policy of Chatham-Kent that:

6.3.2.1 The planning horizon of the Official Plan shall be 20 years, from 2011 to 2031.

6.3.2.2 The lands designated for residential and non-residential development are based on projections to the year 2031 and historical designations carried forward from the previous Official Plans. There is sufficient land designated for residential and non-residential use to provide for growth projections to the year 2031. The Municipality will address the supply of land designated for development over time to appropriately balance land needs with supply.

6.3.3 Planning Tools

It shall be the policy of Chatham-Kent that:

<u>Primary Urban Centre Plan</u>

6.3.3.1 The Primary Urban Centre Plan in Part B of this Official Plan shall establish the more detailed planning framework for the seven designated Primary Urban Centres in support of the general policy framework contained in Part A of this Plan.

<u>Secondary Plan</u>

6.3.3.2 Secondary Plans will be initiated by the Municipality.

6.3.3.3 Secondary Plans will be used to address the need for more detailed area-based planning in proposed new development and/or redevelopment areas within and/or adjacent to the Primary and Secondary Urban Centres.

6.3.3.4 Secondary Plans shall address matters such as land use, urban form and design, transportation, servicing, development phasing and other related considerations.

6.3.3.5 The Municipality shall require that Secondary Plans be supported by technical studies such as the following:

a) Planning Justification Study;

b) Traffic Impact Study and/or Transportation Study;

c) Master Water and/or Sanitary Servicing Plan;

d) Master/Regional Stormwater Drainage Plan;

e) Market Demand and Directional Impact Study (for proposed commercial development in excess of 20,000 square feet of gross floor area that is not warranted by the Regional Commercial System Study);

f) Environmental Impact Study;

g) Development Phasing Plan;

h) Development Charges Study; and

i) Municipal Financial Impact Study.

6.3.3.6 The Municipality may require that the Secondary Plan and supporting technical studies be prepared at the cost of the development proponents in the particular area.

6.3.3.7 Secondary Plans shall include:

a) A general statement of the intended character of the area, along with the development objectives for the area;

b) A land use for the area that establishes the boundaries of the area, the proposed land uses, and the transportation and servicing framework for the lands;

c) A description of the proposed development concept and future land uses for the area;

d) Policies addressing the provision of residential, employment, community facilities, open space, commercial services and/or other proposed land uses;

e) Servicing policies including water supply, sanitary sewage and stormwater management;

f) Transportation policies including roads, pedestrian and bicycle paths;

g) Policies addressing the protection of the natural environment, including the preservation of significant natural areas and/or

features.

h) Policies addressing the proposed phasing, servicing and/or financing of development: and,

i) Policies addressing other implementation measures.

6.3.3.8 Where a Secondary Plan area includes lands that are already developed, the Plan shall include policies addressing the mitigation of the proposed new development and/or redevelopment on the adjacent land uses.

6.3.3.9 Secondary Plans shall be adopted as an amendment to this Official Plan.

6.3.3.9.1 The Municipality may initiate and undertake a review of existing Secondary Plan areas, and/or parts thereof, that have not proceeded to development to ensure that the Secondary Plan policies are current and in alignment with the policies of the Official Plan and, if necessary, initiate an amendment to update the Secondary Plan.

6.3.3.10 <u>Official Plan Amendments</u>

6.3.3.10.1 Applications to amend the Official Plan must comply with 6.4.4.

6.3.3.10.2 As set out in Section 6.3.2.2, the lands designated for residential and non-residential development are based on population projections to the year 2031 and historical designations carried forward from the previous Official Plans. The majority of new population and employment growth in the Municipality will be directed to the fully serviced Primary and Secondary Urban Centres. It is recognized that the amalgamation of 22 separate municipalities to create one new Municipality of Chatham-Kent has resulted in a total residential and employment land supply in its Urban Centres that exceeds the 20-year supply requirement in the provincial Policy Statement. It is also recognized that certain Urban Centres may have an undersupply in relation to their housing and employment demand, while others may have an oversupply, based on their pace of growth. The growth projections of this Official Plan will be monitored at both the Municipality-wide level and at the individual Urban Centre level, and if consistent with the Provincial Policy Statement, the Official Plan may be amended to reflect changes in population and housing demand and land supply and/or employment demand and land supply at the two levels.

6.3.3.10.3 <u>Amendments Proposed by Council</u>

Council will initiate amendments to this Plan when the Official Plan monitoring and review process, as set out in Section 6.5, concludes that

changes to this Plan are required, or where detailed plans for Secondary Planning areas have been completed. Amendments will also be initiated by Council to incorporate new mapping or other information that may become available during the life of this Plan.

6.3.3.10.4 <u>Amendments Proposed as a Result of Development Applications</u>

Proposed developments that are not in conformity with this Plan will require an amendment to this Plan.

6.3.3.10.4.1 <u>Amendments in any Land Use Designation</u>

Council will consider the need for the proposed change, the effect on municipal services and facilities, and the impact of the proposed change on the ability of the Municipality to achieve the goals, objectives and policies expressed in this Plan, and in the Provincial Policy Statement. Other sections of this Plan may require supporting studies or documentation, such as a Planning Justification Report, to justify the proposed change. The required studies or documentation will be prepared at the applicants' expense, to the satisfaction of the Municipality.

6.3.3.10.4.2 <u>Amendments to Expand or Establish Primary or Secondary Urban Centres or Convert Employment Areas to Non-Employment Areas</u>

Proposals to expand or establish a Primary Urban Centre or a Secondary Urban Centre, or to convert employment areas to non-employment uses, will be evaluated and reviewed at the time of a comprehensive review of this Plan. As part of a comprehensive review, a Planning Justification Report will be required to support the Amendment and to address the following:

a) there is a demonstrated need for the proposed land use based on municipal 20-year population and growth projections;

b) the existing designated areas do not have sufficient and/or appropriate land supply to accommodate the proposed land use, and the growth cannot be accommodated through intensification or redevelopment, except as noted in Policy 6.3.3.10.2;

c) no specialty crop areas are included;

d) there are no reasonable alternative locations for the proposed land use that avoid prime agricultural lands or lower priority agricultural lands within prime agricultural areas based on an analysis of options for growth direction and phasing based on the 20-year time horizon and taking into account the impacts on

agriculture, Minimum Distance Separation requirements, natural environment, protecting mineral aggregate resources, road and infrastructure servicing and other municipal services;

e) adverse impacts on nearby land uses can be mitigated, and there is adequate separation from incompatible land uses such as landfill and aggregate extraction areas;

f) the requirements to identify and protect any Natural Heritage Feature as set out in Section 4 of this Plan are satisfied; and

g) consideration of cross-jurisdictional issues.

6.3.3.10.4.3 <u>Residential Uses Outside of Primary and Secondary Urban Centres</u>

Expansions to, or establishment of new, residential designations will not be encouraged where municipal sewer and water services are not available and development would require the removal of land from Prime Agricultural Areas. Development within the existing residential designations will be limited to minor infilling of one or two lots through the consent process, subject to the approval of adequate sewage and water services.

6.3.3.10.4.4 <u>Non-Residential Uses Outside of Primary and Secondary Urban Centres</u>

Expansions to, or establishment of new industrial, commercial, institutional or recreational designations will be considered by Council under the criteria in Section 6.3.3.10.4.1. A Planning Justification Report will be required to support the Amendment and to address the matters in Section 6.3.3.10.4.2 a) to f).

<u>Zoning By-Law</u>

<u>6.3.3.11 Applications to amend the Zoning By-law must comply with 6.4.4.</u>

6.3.3.12 The Zoning By-law shall implement the land-use designations and planning policies of this Official Plan.

6.3.3.13 When a conflict arises between the permitted uses in the Official Plan and the Zoning By-law, the Zoning By-law shall prevail.

Holding Provision

6.3.3.14 The Zoning By-law may contain holding provisions that shall be used when it is necessary to zone lands for development in advance of specifically identified water, sanitary sewage and/or stormwater services, road improvements or extensions, special land-use policies, or phasing of development.

6.3.3.15 The Zoning By-law may apply holding provisions to any area of the Municipality, zoning category, or land use within a zoning category.

6.3.3.16 The Zoning By-law shall zone the lands for their future intended use and shall identify the lands subject to the holding provisions by adding the symbol "H" or "h" to the zoning category.

6.3.3.17 The Zoning By-law shall identify the land uses permitted in the interim, while the holding provisions are in effect.

6.3.3.18 Development or redevelopment of the lands cannot proceed until the symbol "H" or "h" is removed, and the Zoning By-law may state what specific conditions or works must be undertaken before the holding symbol can be removed, and the by-law may state which government or agency is responsible for providing clearance that the condition or requirement has been met.

Bonusing

6.3.3.19 The Zoning By-law may authorize increases in the height and density of residential or commercial development, above what is permitted in the Zoning By-law, in return for the provision of:

a) affordable housing;

b) rental housing;

c) the preservation of buildings or structures of historical value;

d) parkland greater than that required through the provisions of this Official Plan;

e) protection of natural heritage features;

f) community centres, day care or social-service type facilities; and,

g) public art.

6.3.3.20 A site-specific Zoning By-law shall establish the standards that apply if a bonus is awarded, as noted in Section 6.3.3.19 above.

<u>Temporary Uses</u>

6.3.3.21 Applications to amend the Zoning By-law to permit a temporary use must comply with 6.4.4.

6.3.3.22 Temporary Use By-laws may be enacted to allow the short-term use of lands, buildings, or structures that may not be in conformity with this Official Plan and Zoning By-law.

6.3.3.23 Where appropriate, temporary uses shall be subject to the Site Plan Control provisions of this Official Plan.

6.3.3.24 The Temporary Use By-law shall describe the specific area affected and identify the period of time for which the use is authorized, not to exceed three years or a period not to exceed 20 years when considering a garden suite. Council may pass subsequent by-laws granting extensions of up to three years.

6.3.3.25 Upon the expiration of the Temporary Use By-law, the use shall cease to exist and shall not be considered an existing use.

<u>Interim Control</u>

6.3.3.26 An Interim Control By-law may be enacted to control the use of lands and buildings until studies required by the Municipality to assess planning and engineering issues are prepared and approved, and shall:

- ***a) describe the specific area affected;***
- ***b) identify the period of time for which the by-law is in effect, up to one year, with an allowance for one additional extension of one year which may be granted by amending the by-law, if the studies have not been finalized;***
- ***c) identify the uses prohibited and/or not permitted.***

<u>Legal Non-Conforming Use</u>

6.3.3.27 A Legal Non-Conforming Use is a legal use of a parcel of land, building or structure that was established before the date the Zoning By-law was approved, but which does not conform to the regulations in the Zoning By-law. An application for the enlargement or extension of a legal non-conforming use shall be judged as follows:

a) the proposed expansion does not significantly increase the size of the non-conforming use;

b) the proposed expansion does not require an adjustment to the boundary between two areas of different land use;

c) the proposed expansion does not increase its incompatibility with the surrounding area;

d) conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and

e) factors such as traffic safety, parking, loading, and municipal services are not adversely affected.

6.3.3.28 Legal non-conforming uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not increased.

<u>Plan of Subdivision</u>

6.3.3.29 Applications for approval of a plan of subdivision must comply with 6.4.4.

6.3.3.30 All lands within the Municipality are subject to subdivision control and part-lot control. Council may consider passing a by-law under the provisions of the Planning Act deeming old registered, undeveloped plans that are inadequate due to matters such as lot size, unsuitable access or undesirable location, not to be registered.

6.3.3.31 Only those plans of subdivision shall be approved which:

a) conform with the policies and designations of this Official Plan;

b) can be provided with adequate services and facilities as set out in this Official Plan;

c) are not premature; and

d) will not limit the Municipality's ability to finance services for all residents without imposing undue increases in taxation.

6.3.3.32 In evaluating applications for approval of plans of subdivision, the Municipality shall consider all matters contained in Section 51 of the

Planning Act and additional information specified in this Official Plan.

6.3.3.33 A plan of subdivision shall generally be required:

a) where a new road or extension to an existing road is required; or

b) where more than five lots are to be developed and/or the owner is retaining sufficient lands for the development of additional lots; or

c) where the Municipality deems it necessary for the proper development of the lands.

6.3.3.34 The Municipality shall, as a condition of approval pursuant to the Planning Act, require that the owner of lands subject to a plan of subdivision enter into one or more agreements, which shall be registered against the title of the subject lands.

6.3.3.34.1 Under the authority of Subsection 51(44) of the Planning Act, the Municipality will initiate and undertake a review of existing draft plans of subdivision that are three years old and older, which have not proceeded to registration, to ensure that the layout and conditions of the draft-plan approval are current with the policies of the Official Plan. The Municipality will notify and invite individual developers and property owners to discuss development plans, along with the conditions of development and timing. The Municipality may, at its discretion, withdraw the approval of the draft plan of subdivision or change the conditions of such approval at any time before the approval of the final plan of subdivision under Section 51(58) of the Planning Act.

6.3.3.34.2 In granting approval to a new plan of subdivision or an amendment to or review of an existing plan of subdivision, the Municipality will impose a condition under the authority of Subsection 51(32) of the Planning Act, which will provide for the lapsing of the approval not less than three years from the date of approval. The Municipality will notify the developer within six months of the lapsing date that the approval is about to expire. The Municipality may extend the approval for a time period specified by the Municipality. No extension is permissible if the approval lapses before the extension is given.

6.3.3.34.3 The Municipality may consider the use of part lot control exemption, through the passing of a part lot control exemption by-law, to further subdivide a lot or a block for the purpose of selling, conveying, leasing or mortgaging. The Municipality will give consideration to this method only for residential development fronting an existing or dedicated road, including:

- *Semi-detached dwellings*

- ***Rowhouse dwellings***
- ***Single detached dwellings within a lotless block***

Only under special circumstances, if agreed to by the Municipality, will the Municipality consider part lot control exemption for non-residential development. A part lot control exemption bylaw can only be recommended for approval if no conditions are required to be applied to the division of the subject lands.

<u>Plan of Condominium</u>

6.3.3.35 Applications for approval of a plan of condominium must comply with 6.4.4.

6.3.3.36 a) For new developments, only those proposals submitted under the Condominium Act that conform to the policies and designations of this Official Plan and can be provided with adequate services shall be recommended for approval. In evaluating those plans, the Municipality shall require information specified in this Official Plan to evaluate a proposal, and shall require a development agreement to ensure adequate service levels.

b) For the conversion of existing developments to condominium, only those proposals submitted under the Condominium Act that conform to the policies and designations of this Official Plan and can be provided with adequate services shall be recommended for approval. In evaluating these plans, the Municipality shall require the submission of a report by a qualified professional assessing the condition of the existing buildings and services and compliance with Building and Fire Code requirements.

<u>Consent</u>

6.3.3.37 Applications for a consent to sever must comply with 6.4.4.

6.3.3.38 A consent should only be considered where a plan of subdivision is deemed by the approval authority to be unnecessary, and where the application conforms with the policies of this Official Plan.

6.3.3.39 Notwithstanding any other provisions of this Official Plan, a consent for technical or legal purposes may be permitted where a separate lot is not being created (such as a boundary adjustment, easement or right-of-way). The lots that are the subject of that type of application and any retained lands shall comply with the Zoning By-law, or the By-law must be amended or a minor variance granted as a condition of the consent.

6.3.3.40 The following general policies shall be utilized for evaluating consent

applications in all designations of this Official Plan, in addition to other provisions of this Plan, which may be applicable to a particular application.

a) Road Access:

i) the lot to be retained and the lot to be severed shall have frontage on and access to an open, improved public road that is maintained on a year-round basis or to a private road that is developed and maintained to a standard acceptable to the Municipality.

ii) lots shall not be created which would access onto a road where a traffic hazard would be created due to limited sight lines on curves or grades.

iii) only those lots that meet the minimum safety and geometric requirements of the Ministry of Transportation will be considered for direct access to a provincial highway.

iv) any required road widenings, improvements or extensions to existing rights-of-way may be required as a condition of severance approval.

b) Lot Size:

i) the lot area and frontage of both the lot to be retained and the lot to be severed shall be adequate for existing and proposed uses, and shall allow for the development of a use that is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering.

ii) the proposed lots shall comply with the provisions of the Zoning By-law. When it is not possible to meet the standards of the Zoning By-law, the Municipality may amend the standards in the By-law or a minor variance may be granted as a condition of approval, when that action is considered appropriate.

c) Proper Development of Adjacent Lands:

The proposed lot(s) shall not restrict the development of other parcels of land, particularly the provision of access to allow the development of remnant parcels in the interior of a block of land.

d) Water and Sanitary Sewage Services:

i) consents within the Primary and Secondary Urban Centres as designated on Schedule "A" Series – Land Use shall only be considered where the lot can be serviced by the municipal water and sanitary sewage systems, as a condition of approval.

ii) consents outside of the Primary and Secondary Urban Centres as designated on Schedule "A" Series – Land Use shall only be considered when it has been demonstrated to the satisfaction of Chatham-Kent and other approval agencies that the lot size, topography, soils and drainage of the severed and retained lots are suitable for the proposed method of water supply and sanitary sewage disposal and the proper siting of buildings.

e) Parkland Dedication:

When a consent is approved, as a condition of consent, parkland dedication may be required in accordance with the policies set out in Section 4.7.2.9

f) Areas of Significant Aggregate Resources:

Applications for consent to create a new lot within or adjacent to lands identified as Areas of Aggregate Resources on Schedule "C" Series – Areas of Significant Aggregate Resources to this Official Plan will only be permitted if the resource use would not be feasible; or the proposed land use or development serves a greater long-term public interest; and issues of public health, public safety and environmental impact are addressed.

6.3.3.41 The Municipality may require the following conditions of approval of a consent application for the severed lot and/or retained lot when such a condition is appropriate:

a) payment of taxes;

b) payment of development charges;

c) payment of drainage and local improvement charges;

d) provisions for connection to the municipal water or sanitary sewage systems;

e) provisions for stormwater management;

f) road dedications and improvements;

g) parkland dedications or payment-in-lieu;

h) approval of Zoning By-lay amendment; and

i) approval of a Site Plan.

Site Plan Control

6.3.3.42 Applications for approval of a site plan must comply with 6.4.4.

6.3.3.43 Pursuant to the provisions of the Planning Act, the entire Municipality of Chatham-Kent is designated as a proposed Site Plan Control area.

6.3.3.44 Council may, by by-law, designate the whole or any part of the Municipality as a Site Plan Control area.

6.3.3.45 Where a proposed development is within a Site Plan Control area, the Municipality may require road widening needed to achieve the road allowance to meet the municipal and provincial rights-of-way and sight triangle standards, as a condition of Site Plan approval.

6.3.3.46 In accordance with the Planning Act, applicants for Site Plan approval may be required to enter into a site plan agreement and provide to the satisfaction of the Municipality any or all of the requirements set out in the Planning Act, at no expense to the Municipality.

6.3.3.47 The Municipality may request drawings or other information in addition to that listed in the Planning Act to address the following matters:

a) Exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design;

b) The sustainable design elements on any adjoining highway, street or road under the jurisdiction of the Municipality, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, bike paths, trails, sidewalks, waste and recycling containers and bicycle parking facilities;

c) Facilities designed to have regard for accessibility for persons with disabilities.

Minor Variances

6.3.3.48 The Committee of Adjustment shall make a decision with respect to all applications for minor variances to the provisions of the Zoning By-law and other by-laws, as delegated by Council. In exercising its authority of Section 45(1) of the Planning Act, the Committee shall ensure that the general intent of this Plan and the by-law are maintained. In evaluating the general intent of this Plan, the Committee shall consider the physical characteristics of the land and the reasons why relief from the by-law is sought. For example, implementation of a site-specific measure in relation to the remediation of a brownfield site may require relief from the performance standards of the Zoning By-law.

Land Use Compatibility

6.3.3.49 In considering a change in land use, Council will review it in accordance with provincial land-use compatibility guidelines. When a change in land use is proposed, the proponent may be required to complete studies of noise impact, air quality, and so on, in accordance with Ministry of Environment Guidelines, as amended from time to time. Measures such as separation of uses, landscaping and screening that are recommended in studies deemed to be acceptable by the Municipality will be imposed on the proponent to offset aspects of incompatibility between existing and proposed land uses.

Property Standards

6.3.3.50 Property Standards By-laws are a useful tool for ensuring the preservation and maintenance of existing buildings. Council may enact by-laws in accordance with the Building Code Act, setting out minimum standards for the maintenance and occupancy of all building and properties. Any such by-law will apply to all of the Municipality. These by-laws should have regard for, but not necessarily limited to, any or all of the following matters or related items and set appropriate standards or conditions for:

- ***a) The physical conditions of vacant land, yards and passageways including the accumulation of debris and rubbish;***
- ***b) The adequacy of sanitation including drainage, waste disposal, garbage and pest control;***
- ***c) The physical condition of accessory buildings;***
- ***d) The physical conditions of dwellings or dwelling units, institutional, commercial and/or industrial buildings, structures and properties; and***
- ***e) Maintenance and property standards for properties protected under the Ontario Heritage Act.***

Any such by-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of a substandard property and require the demolition and clearing of such property which the owner does not intend to repair and maintain.

Site Alteration

6.3.3.51 Site alteration, including the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of land can have negative impacts on the environment. Grading works undertaken without appropriate approval may cause unanticipated impacts to drainage, interference and damage to watercourses and water bodies, impacts on the quality of ground water and natural heritage features.

a) Council may enact a Site Alteration By-law in accordance with the Municipal Act, to regulate the placement or removal of fill or alteration of lands that may disrupt natural vegetation and/or drainage.

b) Should site alteration be undertaken without the approval of the Municipality prior to a development application being submitted, the Municipality may refuse to process the application until the site has been rehabilitated to the satisfaction of the Municipality.

The Municipality will encourage development and construction practices that minimize the level of soil erosion and siltation.

6.4 PLANNING PROCESS

As the organization responsible for reviewing and approving planning applications, the Municipality is required to follow the process specified under the Planning Act. While the Planning Act provides for maximum timelines for the review of planning applications before an appeal can be launched, from the perspective of both customer service and economic development, the Municipality can take steps to minimize these timelines while continuing to ensure a thorough review. The Planning Act also provides the Municipality with the authority to require pre-application consultation and the submission of supporting information for certain types of applications, prior to an application being deemed complete. In exercising this authority, and when plans need to be circulated to various municipal departments or outside agencies, the Municipality will work to ensure a timely planning process.

It shall be the objective of Chatham-Kent to:

6.4.1.1 Ensure that the planning process is conducted efficiently, fairly and openly.

6.4.2 General

It shall be the policy of Chatham-Kent that:

6.4.2.1 The review of planning applications will meet the timelines set out under the Planning Act.

6.4.2.2 The Municipality will endeavour to ensure that planning applications are circulated to municipal departments and agencies and responded to in a timely manner.

6.4.2.3 To ensure transparency in the planning process, the Municipality will maintain an updated list of all planning applications, their nature and their status, and make the information available to the public.

6.4.2.4 Chatham-Kent will seek input from adjacent municipalities in accordance with the Planning Act regulations.

6.4.2.5 The Municipality will periodically reassess its planning review and approval processes in the interest of efficiency and best practices.

6.4.3 Pre-application Consultation

It shall be the policy of Chatham-Kent that:

6.4.3.1 A pre-application consultation meeting is required for any contemplated development needing:

- ***a) an amendment to the Official Plan;***
- ***b) an amendment to the Zoning By-law (including a Temporary Use by-law);***
- ***c) approval of a Site Plan;***
- ***d) approval of a Draft Plan of Subdivision or Plan of Condominium.***

6.4.3.2 A pre-application consultation meeting is not required, but it is recommended for any contemplated development needing:

- ***a) a Consent to sever;***
- ***b) a Minor Variance;***
- ***c) any other application under the Planning Act.***

6.4.4 Complete Application

It shall be the policy of Chatham-Kent that:

6.4.4.1 ***For an application to be considered complete within the meaning of the Planning Act, the applicant must satisfy the requirements of 6.4.4.2 and 6.4.4.3 below.***

6.4.4.2 ***All applications must submit the following:***

a) ***The prescribed fee;***

b) ***A signed application form, completed in full;***

c) ***Any additional items required on the application form;***

d) ***Information required by the Planning Act or the associated regulations;***

e) ***Information or material required by other sections of this Plan.***

6.4.4.3 ***Applications for amendment to the Official Plan, amendment to the Zoning By-law, consent to sever, approval for a draft plan of subdivision, approval of a plan of condominium or approval of a site plan must include the submission of supporting information identified in the pre-application consultation process, which may include studies or reports to address the following matters:***

a) ***Planning Report;***

b) ***Infrastructure and servicing;***

c) ***Stormwater management;***

d) ***Transportation, traffic and parking;***

e) ***Cultural heritage;***

f) ***Archaeological resources;***

g) ***Natural environment;***

h) ***Contaminated or potentially contaminated sites;***

i) ***Soil test and groundwater quality;***

j) Nuisance, noise hazard or safety issues;

k) Urban design;

l) Market impact;

m) Financial impact;

n) Other studies or reports identified through the pre-application consultation.

6.4.5 The list of supporting information in 6.4.4.3, above, does not preclude the Municipality or its delegated approval authorities from requiring other supporting information in order for an application to be deemed complete. The Municipality may require further information after the pre-application consultation has occurred in response to new circumstances that may impact the decision-making process.

6.4.6 The terms of reference for supporting information, including any scoping of studies, will be as directed by the Municipality.

6.4.7 All supporting information must be prepared by a qualified professional retained by and at the expense of the applicant. The Municipality may refuse to accept the supporting information if the quality of the submission is unsatisfactory or it fails to adequately address the established terms of reference.

6.4.8 The Municipality may require a peer review of any supporting information by an appropriate agency or qualified professional at the expense of the applicant. Receipt of the peer review is not required for an application to be deemed complete.

6.4.9 The Municipality may require electronic and hard copy versions of supporting information to be submitted in an acceptable format.

6.4.10 The Municipality may require applicants who amend development applications to participate in one or more additional pre-application consultation meetings, and may require the submission of revised or additional information before the Municipality will consider the amended application complete under the Planning Act.

6.4.11 The Municipality will issue a notice of a complete application in accordance with the Planning Act, subject to the provisions of 6.4.5 and 6.4.10.

6.5 OFFICIAL PLAN MONITORING AND PLAN REVIEW

The current framework and policies of the Official Plan are shaped by internal and external considerations. The Provincial Policy Statement is the lead external document, representing the provincial interests from a planning perspective. Internally, Chatham-Kent has undertaken numerous studies, plans and strategies that address a multitude of subjects and collectively provide direction toward achieving sustainability around the pillars of health, economy, environment and culture to bind all parts of the whole together. Both the community and provincial interests must be represented in the Official Plan and over the planning horizon. Both aspects will continue to evolve, which will have a bearing on future reviews of this Plan. Therefore, regular Plan monitoring and review is critical to maintaining a clear, current and effective planning policy regime as a foundation for land-use decisions. This regular review process requires all land- and development-related interests in Chatham-Kent to work together in addressing planning issues, development trends, changing legislation and provincial policy, fiscal sustainability, and to make the necessary adjustments accordingly.

It shall be the objective of Chatham-Kent to:

6.5.1.1 Monitor, track and measure the success of the implementation of the policies contained in this Plan, and to ensure alignment with the numerous studies, plans and strategies and to further ensure the Plan is responsive to local strengths, challenges and external trends and opportunities.

It shall be the policy of Chatham-Kent that:

6.5.2.1 At a minimum, monitoring and review of this Plan will be conducted to meet the five-year plan review requirement of Subsection 26 of the Planning Act. This monitoring and review will include aligning land needs with supply.

6.5.2.2 In response to any changes in the regulatory environment, the Provincial Policy Statement or other planning initiatives, the Municipality may initiate an amendment process at any time.

6.5.2.3 When judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the Municipality's interpretation or intent in the policies of this Plan, Council may choose to initiate a review of any or all of the policies at any time.

6.5.2.4 The Municipality will establish a Sustainability Review Team, composed of key staff members across various municipal departments to:

a) Undertake the development of key performance indicators (KPI's) to monitor, track and measure the success of the implementation of the

policies contained in this Plan, and to ensure alignment with the other numerous studies, plans and strategies that have been prepared across the organization. Consideration in the development of KPI's would include, but not necessarily be limited to, the following:

i) The number of draft approved and registered vacant lots in the Municipality;

ii) The amount of designated vacant residential and non-residential lands;

iii) Building Permit activity for both residential and non-residential starts/renovations;

iv) Progress in achieving the housing and intensification targets and actions;

v) Health statistics/trends of the Municipality;

vi) Economic trends;

vii) Success of various Community Improvement Plans;

viii) Cultural heritage implementation;

ix) Parkland and open space implementation;

x) The removal and creation of natural vegetation, along with other environmental trends;

xi) Trails implementation;

xii) Transportation implementation including roads, transit and active transportation;

xiii) Public facilities;

xiv) Consultation efforts with First Nations;

xv) Water and wastewater, including the monitoring of reserved sewer and water servicing capacity;

xvi) Financial performance related to the implementation of this Plan and the distribution of services.

b) To assist in the review and development of updated Development Standards and a Servicing Policy to ensure alignment with the policies of this Plan and other studies, plans and strategies.

c) To provide input on major and/or complex planning applications and/or subsequent reviews of this Plan.

6.5.2.5 An annual Official Plan Implementation Schedule will be prepared in conjunction with the relevant capital and the operating budget to identify priority items and to align Municipal investment with Plan policies. The schedule will include, but is not limited to:

a) A review and possible amendments to existing Draft Plans of Subdivision to ensure that the draft conditions are in alignment with the policies of this Plan, and when the draft plan is expected to proceed to registration;

b) A review and possible amendment to existing Secondary Plans to ensure that the policies and conceptual designs are in alignment with the policies of this Plan; and

c) The identification and consideration of relevant information from supporting studies that affect planning policy and process.

6.5.2.6 Additional monitoring of this Official Plan may include:

a) Quarterly briefings or status reports; and

b) Provincial Performance Measures Reporting.

6.5.2.7 To assist with monitoring and plan review, an information system will be maintained by the Municipality in order to conduct an appropriate analysis of the changes in health, economic, environmental and cultural conditions in which this Official Plan is founded.

6.5.2.8 All staff reports on development applications will assess the proposal's compliance with this Official Plan and the four pillars of sustainability (Health, Economy, Environment and Culture).

6.5.2.9 The Municipality will establish a regularized process to review the order of urban development throughout Chatham-Kent. This will be an integral part of the five-year Official Plan Review and Update requirement under the Planning Act, and will bring the development industry, other stakeholders and service providers together to consider such matters as:

a) Actual population, household and employment growth compared with projected growth;

b) Land availability and land absorption rates for residential and employment lands;

c) Assessment of the commercial land inventory;

d) Status of planned developments and development charges;

e) The capacity of infrastructure and public service facility availability and planned capital improvement projects; and,

f) The level of achievement of the overall goals and objectives of the Official Plan and other key municipal Master Plan documents.

6.6 FINANCIAL MANAGEMENT

Funding for municipal operations and capital improvements comes from the local tax assessment base and from provincial and federal funding. The provincial and federal monies are earmarked for certain projects, and a substantial portion of revenue from the local tax assessment is dedicated to a wide range of social, community and recreational services. As part of the 2013 Comprehensive Official Plan Review, a detailed financial impact analysis has been undertaken to highlight the financial impacts of funding growth, and to provide direction on how future capital and operating expenditures related to new development will be funded.

It shall be the objective of Chatham-Kent to:

6.6.1.1 Ensure that the day-to-day operations of the Municipality continue to be conducted in a fiscally responsible manner; and

6.6.1.2 Ensure that the existing tax base does not bear the cost of accommodating new growth.

It shall be the policy of Chatham-Kent that:

6.6.2.1 The coordination of services will continue to provide efficient and cost-effective municipal services.

6.6.2.2 Collaboration with other service providers will continue in order to allow for cost savings in service delivery.

6.6.2.3 Investments will be made in new technologies that result in reductions in capital and/or operating costs.

6.6.2.4 New municipal facilities will be multipurpose so that their usage can be maximized.

6.6.2.5 Financing arrangements that benefit the Municipality and/or reduce the

burden on the tax assessment base will be used, such as:

a) front-ending agreements for development;

b) development charges; and/or

c) public-private partnerships.

6.6.2.6 For proposed large-scale land development, infrastructure, system or facility projects, the Municipality may undertake a fiscal impact study. The study will determine the costs and benefits to the Municipality over a 20-year lifespan, and any proposal that creates an undue burden on municipal resources may not be approved. All fiscal impact studies will also incorporate environmental and social indicators to address issues related to community well-being and quality of life, in keeping with the Community Strategic Plan.

6.6.2.7 The Municipality may implement user fees for certain municipal services.

6.7 PUBLIC CONSULTATION AND PARTICIPATION

Public consultation and participation in the planning process are vital to the success of the Chatham-Kent community. This interaction helps ensure that planning decisions related to individual properties, neighbourhoods and Chatham-Kent as a whole are informed through appropriate public discussion and debate. The Municipality is responsible for advising stakeholders of upcoming planning decisions, providing information about the proposals, and ensuring that suitable venues are available for the public to convene. The substantial effort that is required for public consultation pays off by building trust between local government and citizens, helping to create a shared sense of community, and providing for fairness in planning decisions.

It shall be the objective of Chatham-Kent to:

6.7.1.1 Ensure that opportunities for public consultation and participation are provided for all planning decisions.

It shall be the policy of Chatham-Kent that:

6.7.2.1 Public meetings and notification for all planning decisions will be provided by mail or newspaper advertisement in accordance with the regulations of the Planning Act.

6.7.2.2 In addition to the Planning Act requirements, the Municipality may also consult with stakeholders using methods such as facsimile, e-mail, a notice posted on the Municipality's Internet site, or any other methods deemed appropriate to ensure sufficient participation in the planning process. Tools used for outreach may include the advertisements and mail notices identified in 6.7.2.1 above and newsletters, media releases, surveys, etc.

6.7.2.3 The Municipality's Internet site will be used extensively to disseminate information related to planning matters, planning proposals and decisions.

6.7.2.4 The Municipality will make as much information as possible available to the public to assist in their understanding of a development proposal, including what is being proposed, any potential impacts to the community, and any mitigation measures being proposed to address those impacts, subject to the Freedom of Information Act.

6.7.2.5 Any municipally-initiated planning study will incorporate a program of public consultation that exceeds the minimum statutory requirements.

6.7.2.6 Varying methods of consultation will be used to encourage interaction appropriate for the type of study, stage of the project, the nature of the issue(s) and the characteristics of the stakeholders being consulted. The Municipality will consider the use of:

- ***a) open houses;***
- ***b) public information centres;***
- ***c) workshops;***
- ***d) focus groups; and/or***
- ***e) public meetings.***

6.7.2.7 The Municipality will ensure adequate space is provided to accommodate public consultation events, and will use municipal facilities for public consultation events whenever possible.

6.7.2.8 Public consultation sessions will be held in the community in which a study is being conducted or an issue is being discussed. When the study or issue has a bearing on multiple communities, the consultation program will ensure that an adequate number of sessions in varying locations are provided to ensure that the interests of the affected communities can be fairly represented. This policy does not apply to a public meeting conducted as a statutory requirement.

6.7.2.9 The Municipality will continue to consult with First Nations communities to:

- ***a) Examine opportunities to further promote education on First Nations and environmental history in Chatham-Kent; and***

b) Explore and consider potential economic partnerships with First Nations.

6.8 INTERPRETATION

This Official Plan is a statement of policy. It is intended as a guide for Council. However, some flexibility in interpretation may be permitted, provided that the general intent is maintained and the objectives are achieved.

It shall be the policy of Chatham-Kent that:

6.8.1 Locations, boundaries, or limits described in the text or indicated on Schedules "A," "B," "C," "D," "E" and "F" series are intended to be precise where they are bounded by roads, railway lines, lot lines, or other clearly defined physical features. The boundaries of settlement areas are considered to be definite. Expansion of a settlement area boundary may be considered in accordance with the policies contained in Section 2.3.6.2.13 and 6.3.3.10 of this Plan, or if the Municipality decides to initiate a subsequent comprehensive review of the Plan and the requirements of the Provincial Policy Statement have been satisfied.

6.8.2 Where the meaning of any phrasing or any part of any section is unclear, the meaning will be determined within the context of the general policy direction and objectives provided by this Plan and the definitions of the Provincial Policy Statement.

6.8.3 Indication of municipal services or facilities in this Plan shall not be constructed as a commitment by the Municipality to construct or provide such services within a certain timeframe. Rather, such commitments shall be subject to the decisions of Council in its annual capital budget considerations.

6.8.4 In this Plan, any reference to a provincial or federal act of the legislature refers to the acts as amended from time to time, any successors to these acts, and the latest decennial revisions.

6.8.5 Any reference to specific public agencies or bodies includes their successors in responsibility for those matters mentioned.

6.8.6 All references to the Planning Act are based on the Planning Act, R.S.O., 1990, as amended from time to time.

6.8.7 The schedules form part of the Official Plan and must be read in conjunction with the text.

6.8.8 Within the context of this Plan, "Development" means the creation of a new

lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process, or works subject to the Drainage Act.

6.8.9 Spelling, grammar and formatting changes to this Plan will not necessitate an amendment to the Plan.

7. SPECIAL POLICIES

This section of the Official Plan provides more detailed policies, which apply to specific geographic areas of the Municipality. The policies of Section 7 must be read together with the policies of Part A and Part B of the Official Plan. Section 7 consists of special policy areas and Secondary Plan areas of the Municipality that do not comprise Primary Urban Centres, which would otherwise be included in Part B of the Official Plan.

7.1 SUSTAINABLE SHORELINE SECONDARY PLAN

7.1.1 Sustainable Shoreline Strategy

Shorelines have tremendous ecological, aesthetic, recreational, social and economic value. The long-term health of the shoreline areas of Lake Erie, Lake St. Clair, the Thames River, the Sydenham River and Chenal Ecarté (the Snye) is vital to Chatham-Kent's economy, health and well-being, its social and recreational activities, and the health of the overall environment.

The Municipality has adopted a sustainability approach to planning for the shoreline areas, in which community, economic and environmental considerations are appropriately balanced, and the shoreline areas are managed to ensure that the needs or enjoyment of the shoreline areas by future generations are not compromised.

7.1.1.1 Description of Shoreline Areas

The shoreline areas are defined to include the waterfront related settlements and lands in proximity to Lake Erie, Lake St. Clair, the Thames River, and the Sydenham River or Chenal Ecarté (the Snye) river system, as defined on Schedule "F1" (Sustainable Shoreline Strategy). The shoreline areas encompass a significant portion of land in the Municipality of Chatham-Kent and the majority of the Municipality's residents and major settlement areas. The shoreline areas encompass over roughly 130 km of shoreline on Lake St. Clair and Lake Erie, and over 170 km on the Thames, Sydenham and Snye Rivers.

The shoreline areas and related settlements are considered to have significant influence on, and are significantly influenced by, the nearby water bodies or rivers, including the settlements of Chatham, Wallaceburg, Blenheim, Ridgetown, Dresden, Wheatley, Thamesville, Mitchell's Bay, Merlin, Erieau, Shrewsbury, Cedar Springs and Morpeth. While some of these settlements are not directly located on a lake or river, they are recognized as having a relationship to the shorelines, which may relate to recreational or economic development considerations. Furthermore, some of these communities function as primary service centres for the shoreline areas, or are a primary gateway to the shoreline areas (i.e., Blenheim and Ridgetown).

The Sustainable Shoreline Secondary Plan Area is identified on Schedule "F1" (Sustainable Shoreline Strategy), which is herein referred to as the shoreline areas. The policies of Section 7.1 pertaining to the shoreline areas must be read together with the Official Plan in its entirety.

Although not considered within the shoreline areas, there are First Nations that are located adjacent to and/or have interests within the shoreline areas.

7.1.1.2 Our Vision For A Sustainable Shoreline

The Sustainable Shoreline Strategy is guided by a series of vision statements, which have been developed through a community consultative process with the study's steering committee and the community. The vision statements build upon the strategic directions of the Municipality's Community Strategic Plan and Official Plan. Together, these vision statements and strategies seek to address the issues, opportunities and constraints related to developing a Sustainable Shoreline Strategy.

Chatham-Kent's vision for the shoreline areas is:

"Chatham-Kent is committed to promoting the sustainability of its shorelines by balancing community, economy and environmental considerations, to contribute to healthy and vibrant shorelines and communities."

The vision statement is further supported through the following strategic directions.

Chatham-Kent's shoreline areas are, and will continue to be:

1. ***Connected: The shoreline areas and settlements are well-connected through parks, conservation areas, trails, sidewalks, streets and ecological corridors.***

2. ***Identifiable: The shoreline areas communicate a sense of place through aesthetically pleasing and inviting public spaces, reflective of local history and context.***

3. ***Accessible: The public spaces are improved and easily accessible by all persons, while respectful of private property.***

4. ***Visible: Views of important focal points and vistas from the shoreline areas and the water are protected, preserved and enhanced.***

5. ***Historic: Cultural heritage resources and landscapes are preserved and celebrated.***

6. ***Active: Active and healthy lifestyles are promoted by accommodating opportunities for recreation (walking, cycling, hiking, swimming, canoeing, and water activities), social activities and cultural activities and amenities***

that respond to the needs of residents and visitors.

7. Conserved: Ecological features, functions and habitats, and agricultural and other natural resources are conserved and enhanced for future generations.

8. Collaborative: The Municipality of Chatham-Kent works together with other levels of government, agencies, community groups, First Nations, educational institutions and the private sector in planning for the shorelines.

9. Renowned: The shoreline areas of Chatham-Kent are renowned for their regional, provincial, national and international significance, as established through Chatham-Kent's commitment to supporting and promoting its shoreline areas.

7.1.1.3 Sustainability Strategies

The Secondary Plan is guided by a sustainability approach to the future development and management of the shoreline areas. This sustainability approach seeks to recognize the interconnected nature of healthy communities, economic vitality and the protection of the natural environment, and the relationship of these matters of growth management and community planning.

The sustainability strategies provide the basis for more detailed objectives and policies for the shoreline areas. The strategies are as follows:

- Growth Management and Community Structure Strategy;
- Natural Heritage System Strategy;
- Agricultural Area Strategy;
- Tourism and Recreation Strategy; and
- Community Design Strategy.

The policies of Part A and Part B of the Official Plan continue to apply to the shoreline areas, and the policies provided in Section 7.1 contain more detailed policy guidance related to the sustainability of the shoreline areas. The Official Plan and Secondary Plan policies are intended to be read in their entirety, and the relevant policies are to be applied to each situation.

The policies of Section 7.1: Sustainable Shorelines Secondary Plan are further supported by the Shoreline Areas Community Sustainability Plan, which outlines key initiatives and actions to implement strategies to support the vision for a sustainable shoreline.

7.1.2 Growth Management and Community Structure

7.1.2.1 Growth Management

The Sustainable Shoreline Strategy supports sustainable waterfront-related growth and

development that recognizes the interconnected nature of tourism and recreational uses and the conservation and enhancement of the shorelines' rich environmental and cultural resources. The policies of Section 2.3 of the Official Plan outline the growth management and community structure for Chatham-Kent, which remains relevant to the shoreline areas. It is recognized that the comprehensive review being undertaken by the Municipality as part of the five-year review of the Official Plan should assess opportunities for waterfront-related growth and development that considers the unique growth pressures and opportunities within the shoreline areas.

It shall be the objective of Chatham-Kent to:

7.1.2.1.1.1 As part of the Municipality's comprehensive review of the Official Plan, the Municipality shall undertake a review of the growth and development opportunities that recognize the growth pressures and unique attributes of the shoreline areas.

7.1.2.1.1.2 Promote community redevelopment and revitalization within the shoreline area communities.

It shall be the policy of Chatham-Kent that:

7.1.2.1.2.1 It is recognized that the Municipality has not achieved the anticipated growth rate as identified in Section 2.3.3 of the Official Plan. At the time of the next comprehensive review, the Municipality will:

- ***a) Review opportunities for permanent residential and resort or recreational-related development that recognizes the growth pressures and unique attributes within the shoreline areas.***
- ***b) Assess opportunities within the shoreline areas to promote uses that generate employment in tourism and recreation, including marine-based employment uses associated with fishing and shipping.***

7.1.2.1.2.2 The Municipality will assess the designation of the Hamlet of Erieau with respect to its role in the Municipality's settlement hierarchy, and develop a more detailed Secondary Plan for Erieau, in accordance with Section 7.1.2.2.3.1.1, including the identification of appropriate servicing. Erieau is recognized as providing a key service centre to the surrounding agricultural community and a key water-based recreational and tourism area for both residents and visitors. It is also a service location for the commercial fishery. In this capacity, Erieau should be planned to accommodate a broader range of low- and medium-density residential uses and resort or recreational-related developments, and a broader range of commercial, recreational, industrial and institutional uses, based on the provision of appropriate servicing and review of environmental constraints.

7.1.2.1.2.3 A range of housing forms and densities that provide a broader range of housing affordability that accommodates a diverse population with varying lifestyles, age groups and incomes will be encouraged, where feasible.

7.1.2.1.2.4 New development within the shoreline areas shall be subject to the Community Design Strategy policies of Section 7.1.6.

7.1.2.1.2.5 The policies of Section 2.3.5 of the Official Plan will continue to apply within the shorelines areas, in addition to the policies of this Secondary Plan.

7.1.2.2 Community Structure

7.1.2.2.1 Primary Urban Centre Policies (Shoreline Areas)

It shall be the policy of Chatham-Kent that:

7.1.2.2.1.1 In addition to the policies of Section 2.3.6 and Part B Urban Centre Plan for the Primary Urban Centres of the Official Plan, the following policies will apply to the Primary Urban Centres located within the shoreline areas, including Chatham, Wallaceburg, Wheatley, Blenheim and Dresden.

<u>Chatham</u>

7.1.2.2.1.1.1 The Municipality shall identify opportunities to provide water access to the Thames River within the Downtown/Main Street area in Chatham, which may accommodate boat and water-based craft launching facilities. The Municipality shall identify opportunities for the maintenance and improvement of the Thames Grove boat launch facility.

7.1.2.2.1.1.2 The Municipality shall support improvements to the existing docking facilities to enhance this important public asset and promote tourism and recreational uses, including restroom facilities operated year-round to support multi-seasonal tourism and recreational activities.

7.1.2.2.1.1.3 Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.

<u>Wallaceburg</u>

7.1.2.2.1.1.4 The Municipality shall promote the redevelopment of vacant and underutilized lands including the former dock area adjacent to Wallace Street in the downtown area, and the former dock area adjacent to Baldoon Road in the Employment Area designation, which may support mixed-use residential, commercial, employment and recreational related

development.

7.1.2.2.1.1.5 The Municipality shall encourage the redevelopment of waterfront areas within the Downtown and Main Street area and opportunities to expand the Downtown and Main Street area to accommodate the configuration of development on both sides of the river for mixed-use, residential, commercial, employment and recreational related development.

7.1.2.2.1.1.6 The Municipality shall support improvements to the existing docking facilities to enhance this important public asset and promote tourism and recreational uses, including restroom facilities operated year-round to support multi-seasonal tourism and recreational activities.

7.1.2.2.1.1.7 Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.

7.1.2.2.1.1.8 The Municipality shall undertake the preparation of a Secondary Plan and/or Community Improvement Plan for the revitalization of Wallaceburg's greater downtown area, including the north and south sides of the Sydenham River and adjacent downtown neighbourhoods. The Secondary Plan and/or Community Improvement Plan shall identify strategies for the preservation and enhancement of the area that supports community sustainability and reinvestment in the downtown area.

<u>Wheatley</u>

7.1.2.2.1.1.9 The Municipality shall promote the redevelopment of underutilized lands consisting of the fish processing and food processing area, which may support mixed-use residential, commercial, employment and recreational related development.

7.1.2.2.1.1.10 Opportunities to enhance the connectivity of the Downtown and Main Street area to the Lake Erie shoreline area should be identified, which may include pedestrian and open-space trails.

7.1.2.2.1.1.11 Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.

7.1.2.2.1.1.12 The Municipality shall investigate opportunities to improve waterfront access, including opportunities for parking and related facilities at the existing Erie Street waterfront access.

<u>Dresden</u>

7.1.2.2.1.1.13 Opportunities to enhance the connectivity of the community, the historic

downtown area, and important cultural heritage areas, such as Uncle Tom's Cabin, to the Sydenham River shoreline should be identified, which may include pedestrian and open-space trails.

7.1.2.2.1.1.14 ***The Municipality shall support improvements to the existing docking facilities to enhance this important public asset and promote tourism and recreational uses, including restroom facilities operated year-round to support multi-seasonal tourism and recreational activities.***

Blenheim

7.1.2.2.1.1.15 ***Opportunities to enhance the connectivity of the community to the waterfront should be identified. These opportunities may include pedestrian and open-space trails.***

7.1.2.2.1.1.16 ***Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.***

Ridgetown

7.1.2.2.1.1.17 ***Opportunities to enhance the connectivity of the community to the waterfront should be identified. These opportunities may include pedestrian and open-space trails.***

7.1.2.2.1.1.18 ***Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.***

7.1.2.2.2 ***Secondary Urban Centre Policies (Shoreline Areas)***

It shall be the policy of Chatham-Kent that:

7.1.2.2.2.1 ***In addition to the policies of Section 2.3.7, the following policies will apply to the Secondary Urban Centres located within the shoreline areas, including Mitchell's Bay and Thamesville.***

Mitchell's Bay

7.1.2.2.2.1.1 ***The Municipality shall undertake improvements and maintain the existing marina, park and docking facilities to enhance this important public asset and promote tourism and recreational uses, including restroom facilities operated year-round to support multi-seasonal tourism and recreational activities.***

7.1.2.2.2.1.1 ***Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall***

be investigated.

<u>Thamesville</u>

7.1.2.2.2.1.3 Opportunities to enhance the connectivity of the community and the historic downtown area to the Thames River shoreline should be identified, which may include pedestrian and open-space trails.

7.1.2.2.2.1.4 Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.

7.1.2.2.3 Hamlet Area Policies (Shoreline Areas)

It shall be the policy of Chatham-Kent that:

<u>Erieau</u>

7.1.2.2.3.1.1 The Municipality will undertake the preparation of a Secondary Plan for Erieau to determine the appropriate type and distribution of land uses, in accordance with the policies of Section 6.3.3, related to the preparation of a Secondary Plan. The Secondary Plan shall also address the following:

a) A review of existing vacant and underutilized lands that may accommodate intensification, infill and redevelopment in a comprehensive manner, including the gravel storage area and former fish processing facility, and the waterfront area;

b) The accommodation of additional permanent and recreational-related residential development through intensification and redevelopment;

c) The accommodation of improved recreational and water-based amenities and employment opportunities to promote economic development;

d) The revitalization of Mariners Road and Ross Lane as the main street area of Erieau, including streetscape and public open-space enhancements;

e) The Municipality will promote the development of public access and amenities along the waterfront through the acquisition of lands adjacent to the water's edge through the review of development applications;

f) Ensure that new development addresses the relationship of the buildings to the waterfront, which may include: primary building façades which face the water's edge; commercial, retail, and restaurant uses that provide pedestrian amenity and visual interest along the water's edge; and outdoor uses (i.e., cafes, seating areas, and recreational areas) that provide amenity to the waterfront area;

g) The Municipality will support the commercial fishery industry in Erieau and support opportunities for its enhancement.

h) The provision of appropriate servicing to accommodate development.

i) The Municipality will consult with other levels of government and agencies in the preparation of the Secondary Plan.

<u>Shrewsbury, Cedar Springs and Morpeth</u>

7.1.2.2.3.1.2 Opportunities to enhance the connectivity of the community to the waterfront should be identified, which may include pedestrian and open-space trails.

7.1.2.2.3.1.3 Opportunities to establish an important gateway to the Municipality's shoreline areas, in accordance with the policies of Section 7.1.5.12, shall be investigated.

7.1.3 Natural Heritage System Strategy

7.1.3.1 Natural Heritage Systems

The Natural Heritage System Strategy for the shoreline areas recognizes that the long-term health of the shoreline areas is dependent upon the protection and enhancement of natural heritage features, ecological functions and natural resources.

Section 4.3 of the Official Plan outlines the municipal-wide framework for Chatham-Kent's Natural Heritage System.

The Municipality supports the creation of a more comprehensive natural heritage system and the establishment of linkages and corridors throughout the Municipality, particularly within the shoreline areas.

The Natural Heritage System Strategy includes natural heritage features identified in Section 4.3 of the Official Plan, and identifies specific additional natural heritage features and ecological functions that may warrant protection and conservation through inclusion in the Chatham-Kent Natural Heritage System. The policies of Section 4.0 of the Official

Plan, in addition to the policies of Section 7.1.3 of this Secondary Plan, apply to the natural heritage features and functions within the shoreline areas. The Secondary Plan identifies additional natural heritage features or functions that will be assessed through an Environmental Site Screening (ESS) to identify potentially significant natural heritage features or functions where a development approval is required. If the ESS identifies that potentially significant natural heritage features or functions exist within or adjacent to the proposed development or site alteration area, then an Environmental Impact Statement (EIS) will be required to evaluate the natural heritage features or functions to assess the potential impacts, and determine whether they are to be included in the Natural Heritage System. The policies of this section seek to promote the restoration and naturalization of the shoreline areas and riverine systems where feasible, to promote the Natural Heritage System and to establish these areas as naturalized interfaces with the water and important natural corridors and linkages.

The specific natural heritage requirements outlined in this section provide an opportunity for the Municipality to build upon its Greening Strategy to protect existing natural habitat features (e.g., wetlands, meadows and prairies) and forested areas, and increase forest cover to at least 10% of the total land area of Chatham-Kent, in accordance with Section 4.4.3.2.4 of the Official Plan.

It shall be the objective of Chatham-Kent to:

7.1.3.1.1.1 Promote the Natural Heritage System through the protection and preservation of natural heritage features and functions, and linkages and corridors that contribute to the unique ecological and environmental composition of the shoreline areas.

7.1.3.1.1.2 Identify potentially significant natural heritage features and functions that should be considered for protection, restoration and enhancement through Environmental Site Screening (ESS) requirements a and specific Environmental Impact Statement (EIS) requirements.

7.1.3.1.1.3 Support landowners in the protection and preservation of natural heritage features and functions through programs and actions that promote natural cover enhancement and restoration, vegetation retention, shoreline management and farm stewardship.

7.1.3.1.1.4 Promote appropriate shoreline management measures and raise public awareness of shoreline issues through a Shoreline Landowners Guide.

7.1.3.2 Environmental Site Screening (ESS) Requirements

It shall be the policy of Chatham-Kent that:

7.1.3.2.1.1 In addition to the natural heritage policies of Section 4.0 of the Official Plan, the policies of Section 7.1.3 of this Secondary Plan shall apply to the shoreline areas.

7.1.3.2.1.2 Where development within the shoreline area requires a development approval in accordance with Section 6.3 of the Official Plan, the applicant will consult with the Municipality in accordance with pre-consultation requirements of the Planning Act. The Municipality will coordinate with the appropriate agencies, including the Ministry of Natural Resources, the appropriate Conservation Authority having jurisdiction and/or Fisheries and Oceans Canada, to determine whether an ESS is required to address the requirements of Section 7.1.3.2.1.3. The purpose of the ESS is to undertake an ecological site assessment to determine whether any potentially significant natural heritage features or areas may exist within or adjacent to the proposed development or site alteration area.

7.1.3.2.1.3 An ESS will be required when it has been determined through pre-consultation with the Municipality, the Conservation Authority having jurisdiction and/or the appropriate agency that the following potentially significant natural heritage features or functions may exist within or adjacent to the proposed development or site alteration area:

a) Woodlands greater than 0.5 hectares and less than 2.0 hectares in size;

b) Locally significant and non-evaluated wetlands;

c) Potential for Significant Wildlife Habitat as identified in the Province's Natural Heritage Reference Manual;

d) Regional Areas of Natural and Scientific Interest (ANSIs);

e) Features that may be identified as significant habitat for regionally or locally significant species, which may be identified through species records; and

f) Potential habitat for provincial Species at Risk or waters that may support aquatic species at risk (fishes or mussels) listed under Schedule 1 of SARA.

7.1.3.2.1.4 When an ESS identifies that potentially significant natural heritage features exist within or adjacent to the proposed development or site alteration area, as identified in Section 7.1.3.2.1.3, the preparation of an EIS will be required in accordance with the policies of Section 7.1.3.3. When an ESS demonstrates that potentially significant natural heritage features do not exist within or adjacent to the proposed development or site alteration area, an EIS will not be required.

7.1.3.3 Specific Environmental Impact Statement Requirements

7.1.3.3.1.1 In accordance with Section 4.8.4 of the Official Plan, prior to undertaking an EIS, the applicant will consult with the Municipality, which will coordinate with the Ministry of Natural Resources, the appropriate Conservation Authority having jurisdiction and/or Fisheries and Oceans Canada for the purpose of defining and scoping the EIS requirements.

7.1.3.3.1.2 When it has been determined through an ESS that an EIS is required, the following policies shall apply in determining the extent of adjacent lands, and the conditions under which development and site alteration may be permitted:

a) Significant Woodlands: A development application that includes lands within or adjacent to a woodland greater than 0.5 hectares and less than 2.0 hectares in size that meet at least one of the significant attributes identified in the Natural Heritage Reference Manual will require the preparation of an EIS, in accordance with the policies of Section 4.8 of the Official Plan, to evaluate the potential impacts to the Significant Woodland. A woodland greater than 0.5 hectares and less than 2.0 hectares in size must meet at least one of the significant attributes identified in the Natural Heritage Reference Manual to be determined as significant and identified as a Natural Heritage System Feature. Lands within 120 metres of a significant woodland are deemed to be adjacent lands. Development and site alteration will not be permitted within or adjacent to a significant woodland, unless an EIS demonstrates no negative impact on the natural heritage feature(s) or ecological functions.

b) Locally significant and non-evaluated wetlands: A development application that includes lands within a locally significant and non-evaluated wetland will require the preparation of an EIS, in accordance with the policies of Section 4.8 of the Official Plan, to evaluate the potential impacts to the feature(s), as determined in consultation with the Municipality and appropriate agencies. Lands within 120 metres of a locally significant and non-evaluated wetland are deemed to be adjacent lands. Development and site alteration will not be permitted within or adjacent to a locally significant and non-evaluated wetland, unless an EIS demonstrates no negative impact on the natural heritage features or ecological functions.

c) Significant Wildlife Habitat: Significant Wildlife Habitat as referenced in Section 4.4.2.2.10 of the Official Plan shall include areas of seasonal animal concentration, rare vegetation

communities, specialized habitat, habitat for species of conservation concern and animal movement corridors. While Significant Wildlife Habitat is not identified on the Schedules to this Official Plan, these areas may be identified in the future and added by amendment to the Schedule "C" Series – Natural Heritage and Hazards Features. A development application that includes lands within or adjacent to potential Significant Wildlife Habitat will require the preparation of an EIS, in accordance with the policies of Section 4.8 of the Official Plan, to evaluate the potential impacts to the feature(s), as determined in consultation with the Municipality and appropriate agencies. Lands within 120 metres of Significant Wildlife Habitat are deemed to be adjacent lands. Development and site alteration will not be permitted within or adjacent to Significant Wildlife Habitat, unless an EIS demonstrates no negative impact on the natural heritage features or ecological functions.

d) Regional Areas of Natural and Scientific Interest (ANSIs): A development application that includes lands identified as Regional Areas of Natural and Scientific Interest will require the preparation of an EIS, in accordance with the policies of Section 4.8 of the Official Plan, to evaluate the potential impacts to the feature(s), as determined in consultation with the Municipality and appropriate agencies. Lands within 120 metres of a Regional Life Science ANSI or 50 metres of a Regional Earth Science ANSI are deemed to be adjacent lands. Development and site alteration will not be permitted within or adjacent to Regional ANSIs unless an EIS demonstrates no negative impact on the natural heritage features or ecological functions.

e) Significant Habitat for Regionally and Locally Significant Species: A development application that includes lands within habitat for regionally and locally significant species, as determined through an ESS, will require the preparation of an EIS, in accordance with the policies of Section 4.8 of the Official Plan, to evaluate the potential impacts to the feature(s), as determined in consultation with the Municipality and appropriate agencies. Lands within 120 metres of Significant Habitat for Regionally and Locally Significant Species are deemed to be adjacent lands. Development and site alteration will not be permitted within or adjacent to Significant Habitat for Regionally and Locally Significant Species, unless an EIS demonstrates no negative impact on the natural heritage features or ecological functions.

7.1.3.3.1.4 Depending upon the nature of the development application and local site conditions, the Municipality may require that a Terms of Reference

document be prepared and approved by the Municipality and appropriate agencies prior to the initiation of the EIS or scoped EIS. Preparation of the EIS or scoped EIS will be undertaken by qualified individual(s) in accordance with the terms of reference approved by the Municipality, appropriate agencies and the applicant(s), retained and paid for by the applicant(s).

7.1.3.3.1.5 In accordance with Section 4.8.5 of the Official Plan, in circumstances where there is a low likelihood of impact on the natural heritage feature(s), the Municipality may, in consultation with the appropriate agencies, waive the requirement for an EIS.

7.1.3.3.1.7 Appropriate buffers and development setbacks for natural heritage features determined to be significant, or potential avoidances or design alternatives will be identified through the EIS. Restoration and/or naturalization of these buffer areas may be a requirement of the development approval.

7.1.3.3.1.8 Where an EIS is required in accordance with Section 7.1.3.3.1.2 and the development or site alteration is located within an Important Bird Area, the EIS shall take into consideration the function of the natural heritage feature(s) within the Important Bird Area in determining the significance of the feature(s) and any restrictions on development and site alteration that apply.

7.1.3.3.1.9 All development or site alteration applications shall take into consideration provincially and federally listed Species at Risk and any requirements and regulations under the Endangered Species Act (2007) or Species at Risk Act (SARA), including any significant habitat of endangered species and threatened species under the Provincial Policy Statement, or legislation affecting waters supporting aquatic species at risk that are listed under Schedule 1 of SARA. EIS requirements or additional considerations for Species at Risk or significant habitat of endangered species and threatened species will be determined in consultation with the Municipality and appropriate agencies.

7.1.3.3.1.10 The Municipality may require that the lands identified through the EIS as being environmentally sensitive and requiring protection be zoned in the implementing Zoning By-law in a Conservation/Open Space zone.

7.1.3.3.1.11 The flood protection policies of Section 4.5.3 of the Official Plan shall continue to apply to the shoreline areas.

7.1.3.3.1.12 Nothing in Section 7.1.3.3 is intended to limit the ability of existing agricultural uses to continue.

7.1.3.3.1.13 The Municipality may undertake watershed or subwatershed plans, in

accordance with Section 7.1.3.5, to further assess and identify the significance of natural heritage features or functions and their protection within a broader landscape-based approach.

7.1.3.4 Natural Heritage Feature Enhancements and Natural Heritage Corridors.

The municipality supports the establishment of natural heritage corridors and linkages, in accordance with the policies of Section 4.4.3 of the Official Plan.

It shall be the policy of Chatham-Kent that:

7.1.3.4.1.1 In addition to the policies of Section 4.4 of the Official Plan, the Municipality will support the creation of a more comprehensive natural heritage system and the establishment of linkages and corridors through conservation and environmental stewardship actions and programs that support:

- ***a) natural cover enhancement and restoration;***
- ***b) vegetation retention;***
- ***c) farm stewardship;***
- ***d) shoreline development guidelines that address Municipal zoning, natural heritage and Conservation Authority hazard requirements;***
- ***e) establishing and/or enhancing linkages and corridors;***
- ***f) appropriate conservation/open space type zoning;***
- ***g) regulations of the placement of topsoil (altering the grade, filling, dumping or removal) under Section 142 of the Municipal Act;***
- ***h) strategic land acquisitions, in accordance with Section 7.1.3.4.1.4; and***
- ***i) watershed and sub-watershed studies in partnership with the Conservation Authorities.***

The actions and programs to protect natural heritage features may be secured through agreements under the Planning Act or Municipal Act.

7.1.3.4.1.2 Areas of Policy Interest represent significant concentrations of natural heritage features and ecological functions within the shoreline areas, and have been identified in the Shoreline Areas Community Sustainability Plan.

The Areas of Policy Interest identify priority areas for focusing Municipal efforts and encouraging private landowners in their efforts to promote conservation and environmental stewardship to enhance the natural heritage features and functions and support the establishment of natural linkages and corridors, through the actions identified in Section 7.1.3.4.1.1. Furthermore, these areas may provide focus for the Municipality's land acquisition strategies, as identified in Section 7.1.3.4.1.4. The Areas of Policy Interest may be further refined through more detailed Watershed or Subwatershed Plans and through the preparation of ESSs and EISs.

7.1.3.4.1.3 ***The Municipality will strongly encourage landowners to add protective zoning or conservation easements to natural heritage features to ensure the long term protection and environmental management of these features. The Municipality will encourage the use of available incentive programs to achieve these ends.***

7.1.3.4.1.4 ***The Municipality recognizes that natural heritage features and the establishment of linkages and corridors may benefit from public ownership to ensure their protection and provide for public access, where appropriate. The Municipality shall consider all options for the strategic acquisition and protection of natural heritage features, linkages and corridors, where appropriate, including:***

- ***a) dedication;***
- ***b) assistance from other levels of government, agencies and charitable foundations;***
- ***c) the bonusing provisions of the Planning Act;***
- ***d) land exchange;***
- ***e) long-term lease;***
- ***f) easement agreements;***
- ***g) land trusts; and***
- ***h) imposing appropriate conditions on development approval.***

Notwithstanding the preceding, the identification and protection of natural heritage features does not obligate the Municipality to acquire or purchase the land.

7.1.3.5 Watershed and Subwatershed Planning Policies

The Municipality recognizes the importance of watershed planning that provides for the comprehensive consideration of water balance, water quality, and water quantity, along with interaction between aquatic and terrestrial natural features, their functions and the resources they represent, and other key ecosystem indicators. The Municipality supports the undertaking of such studies in cooperation with the Conservation Authorities, provincial ministries, other organizations, and adjacent municipalities as appropriate. Watershed planning will be promoted in accordance with the policies of Section 4.5.2 of the Official Plan.

It shall be the policy of Chatham-Kent that:

7.1.3.5.1.1 In addition to the watershed and subwatershed planning policies of Section 4.5.2 of the Official Plan, the Municipality will support the undertaking of watershed and subwatershed plans for shoreline areas, with priority given to areas where pressure for development or intensive uses exists within settlement areas, where significant environmental concerns are identified and/or where funding permits.

7.1.3.6 Shoreline Landowners Guide

The Municipality supports the preparation of a Shoreline Landowners Guide to provide landowners with a manual outlining best management practices to ensure the sustainability of the shoreline areas, and assist in educating landowners on the various policies and regulations of the various approval authorities with jurisdiction within the shoreline areas.

It shall be the policy of Chatham-Kent that:

7.1.3.6.1.1 In partnership with the Conservation Authorities and other levels of government, agencies, institutions and First Nations, the Municipality shall pursue the development of a Shoreline Landowners Guide. The Shoreline Landowners Guide will provide shoreline property owners with information related to shoreline development policies and regulations and best management practices to manage, enhance and protect the shorelines, with consideration for Great Lakes Coastal and Natural River Channel processes.

7.1.4 Agricultural Area Strategy

7.1.4.1 General

The promotion of agri-tourism and resource-based tourism uses is encouraged within the shoreline areas to promote the unique tourism and recreational opportunities associated with the Municipality's waterfront and natural heritage features. The Agricultural Area Strategy seeks to enhance and support the viability and sustainability of farming operations within the shoreline areas, while maintaining and preserving prime agricultural land.

Agri-tourism uses include tourism-related uses that are clearly secondary to an agricultural use, such as wineries and associated uses, orchard and farm tours, pick-your-own fruits and vegetables, retail stands for the sale of agricultural products, and similar uses. Resource-based tourism uses involve the use and enjoyment of the natural environment and resources, which may accommodate such uses and activities as fishing, hunting, parks and conservation areas, camping, canoeing, hiking, snowmobiling and wildlife viewing, among other activities.

It shall be the objective of Chatham-Kent to:

7.1.4.1.1.1 Promote the sustainability of agricultural operations by permitting a range of agri-tourism and resource-based tourism uses within the shoreline areas as secondary uses in the Agricultural Area designation.

7.1.4.1.1.2 Direct secondary agricultural uses to lower quality agricultural lands where feasible.

7.1.4.1.1.3 Encourage the designation of specialty crop lands and their protection from non-agricultural uses.

It shall be the policy of Chatham-Kent that:

7.1.4.1.2.1 Agri-tourism and resources-based tourism uses will be promoted and encouraged throughout the shoreline areas as secondary uses to the principal use of agriculture, in order to promote the sustainability and viability of farming operations.

7.1.4.1.2.2 The Municipality will undertake a municipal-wide evaluation of specialty crop land after the provincial evaluation procedures for identifying specialty crop land are available.

7.1.4.1.2.3 The Municipality will seek to develop partnerships for research and innovation in agriculture by pursuing opportunities with educational institutions (i.e., the University of Guelph) to promote agri-tourism and sustainable farming operations.

7.1.4.1.2.4 The Municipality will work with other levels of government and institutions to promote the redevelopment of the Southwest Regional Centre (SWRC), which may provide opportunities to showcase and promote agri-tourism and agricultural related uses in the shoreline areas.

7.1.4.2 Agri-Tourism and Resource-Based Secondary Uses

It shall be the policy of Chatham-Kent that:

7.1.4.2.1.1 In addition to the uses permitted within the Agricultural Area designation in Section 3.10, the following additional secondary uses shall be permitted on lands designated as Agricultural Areas within the shoreline areas, and encouraged where lands have frontage on a Scenic Route, throughout the Municipality:

a) bed and breakfast establishments are permitted in accordance with Sections 3.10.2.3 and 3.10.2.7, and are encouraged within an existing residence. The specific provisions related to bed and breakfast establishments shall be specified in the Zoning By-law;

b) retail stands for the sale of agricultural products are permitted in accordance with Sections 3.10.2.3 and 3.10.2.7, provided that the agricultural products are produced on the farm;

c) small-scale resource-related activities, which may include recreational commercial uses such as recreational equipment sales and rentals, guided tours, orchard and farm tours, pick-your-own fruit and vegetable farms, birding activities, staging areas, sightseeing and similar uses that are directly associated with a primary agricultural use, agri-tourism or resource-based tourism use, but not including motorized recreational vehicle sales and rentals;

d) small inns, which shall be defined as roofed accommodations with eight guest rooms or fewer, directly associated with a winery, agri-tourism or resource-based tourism use; and

e) restaurants, retail stores and/or banquet and conference centres, directly associated with a winery, agri-tourism or resource-based tourism use.

7.1.4.2.1.2 Agri-tourism and resource-based tourism secondary uses such as small inns, restaurants, small-scale resource-related activities, retail stores and banquet and conference centres in association with another secondary use or similar type secondary uses shall be considered cumulatively to be clearly secondary and of an appropriate scale relative to the primary agricultural use or natural resource. In addition to the policies of Section 3.10, the following policies shall apply to the secondary uses permitted in the Agricultural Area designation within the shoreline areas and/or with frontage on a Scenic Route:

a) proposed development shall be implemented through a site-specific amendment to the Zoning By-law for the Agricultural Area, and may be subject to Site Plan Control and, where necessary, a Development Agreement be executed;

b) ***the individual land uses within the Agricultural Area shall be separately zoned through a site-specific amendment to the Zoning By-law, and identify appropriate provisions to ensure that the use is clearly secondary to the primary agriculture use. The provisions in the Zoning By-law shall include, but not be limited to, building setbacks from property lines, onsite parking requirements, landscaping, screening and/or buffering requirements, outside storage requirements, overall lot size, nature of the use, permitted floor area, lot coverage, number of employees, amount of retail space, total number of seating spaces, appropriate access and lighting control requirements for secondary uses. In addition to the consent policies of Section 3.10.2.18 of the Official Plan, the site-specific amendment to the Zoning By-law shall prohibit the future severance of the secondary use from the primary agricultural use;***

c) ***the location of the facility or use shall not impose operating constraints and shall not result in the reduction of the efficiency of any existing agricultural operations;***

d) ***linear strip development along roadways shall be discouraged;***

e) ***the use shall be located on lower quality agricultural land, where possible, except when the use requires higher priority agricultural land for agricultural production;***

f) ***the use shall be well-removed from potential land-use conflicts such as livestock facilities, operating pits, quarries and waste disposal sites;***

g) ***the use shall respect the visual qualities and characteristics of the area, and protect and enhance the area's significant natural features, cultural resources and views;***

h) ***such uses shall be located to comply with the Minimum Distance Separation Formulae;***

i) ***proposed development in the Agricultural Area shall be serviced with adequate water supply and sanitary sewage disposal services. Development proposals for non-agricultural uses shall demonstrate the suitability of the site for the proposed method of water supply and sanitary sewage disposal to the satisfaction of Chatham-Kent and other approval agencies;***

j) proposed non-agricultural development in the Agricultural Area shall provide adequate stormwater management in accordance with Policy 2.4.9 of this Plan;

k) the use shall be located on an Arterial Road, Rural Road, or Provincial Highway;

l) the use shall provide adequate entrances and exits to roads and shall be located as to minimize travel hazards. Access shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means;

m) the use shall provide adequate off-street loading, parking spaces and access;

n) the use shall be located and designed to minimize potential adverse impacts on adjacent residential uses and other incompatible or sensitive uses by buffering measures such as landscaping, berming and building setback and layout;

o) development and site alteration shall be consistent with the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan;

*p) the construction of agricultural and secondary-use buildings is discouraged in areas of Natural Heritage and Hazards Features identified in Section 4.0 of the Official Pla***n,** *and the EIS requirements of Section 7.1.3 of this Secondary Plan;*

q) any waterfront portion or Scenic Route frontage of the development may be required to accommodate an appropriate trail system providing some form of public trail access and connection to the broader trail system, and shall be conveyed to the Municipality at no cost; and

r) the Municipality may impose appropriate controls available through the Municipal Act to ensure that the hours of operation of any secondary use do not conflict with adjacent land uses.

7.1.4.3 Wineries

It shall be the policy of Chatham-Kent that:

7.1.4.3.1.1 Wineries are permitted as an agriculture-related use in the Agricultural Area designation and shall be promoted and encouraged, particularly along a

Scenic Route, to promote tourism and economic development, subject to the following:

a) The production of wine from a winery shall be subject to the following criteria:

- ***wines produced are to be made from a minimum of 30% of fruit to be grown at the site; and***
- ***a winery shall have the capability to bottle the wine produced on site.***

b) All wineries shall be established by way of a site-specific amendment to the implementing Zoning By-law for the Agricultural Area, and may be subject to Site Plan Control, and, where necessary, a Development Agreement will be executed.

c) A hospitality room where food and wine is prepared and served, the sale of products, a banquet hall or conference centre, the retail sale of wine produced on site, and overnight accommodations such as bed and breakfast establishments or small inns may be permitted where it is clearly demonstrated that such uses are only secondary to and complement the winery. These uses shall only be permitted in accordance with Section 7.1.4.2.1.2, on an individual case-by-case basis and subject to a site-specific Zoning By-law amendment where the development parameters may be identified.

d) Wineries shall be encouraged to locate along a Scenic Route, and shall be required to locate with direct or convenient access to an improved roadway with sufficient capacity to accommodate the anticipated traffic.

e) Onsite fruit production is an important aspect of the operation of a winery and is required to provide a minimum of 30% of fruit to be grown at the site for the production of wine. As such, land not intended for building or onsite services shall be planted in vineyards, and the Municipality may utilize the holding provisions of Section 6.3.3 of this Plan to make vineyard planting a requirement, to be completed prior to the issuance of a building permit.

f) Lot sizes within the Agricultural Area designation are subject to the policies of Section 3.10.2.18, and reduced agricultural lot sizes for wineries may be considered in accordance with the policies of Section 3.10.2.18.2 a).

7.1.5 Tourism and Recreation Strategy

7.1.5.1 General

In accordance with Section 3.11.2.1, the Official Plan establishes that the Lake St. Clair, Lake Erie and the Thames River and Sydenham River systems shall be the focal points for outdoor tourism and recreational activity in Chatham-Kent. The Primary and Secondary Urban Centres and Hamlets shall be the focus of urban-based tourism and recreation activity in the Municipality. Certain tourist activities shall also be permitted in Rural Settlement Areas, Recreational Areas and Agricultural Areas in accordance with the policies of the Official Plan.

The tourism and recreation strategy promotes the shoreline areas as focal points for outdoor tourism and recreational activity in the Municipality. This section provides additional policy guidance to attract and promote sustainable tourism and recreational activities within the shoreline areas, including the establishment of tourism nodes, and additional policies to promote lifestyle and resort communities, water-based uses, overnight accommodations, recreational uses, and the conservation of cultural heritage resources. The strategy seeks to balance the need to protect the agricultural areas and natural heritage features and environment, while promoting economic development opportunities associated with tourism and recreational uses.

The Recreational Area designation is intended to accommodate a diverse range of larger-scale tourism and recreational activities in accordance with the Official Plan policies of Section 3.11.2; however, it is recognized that smaller-scale uses are also directed to other designations in accordance with the policies of this Plan, such as the Agricultural Area designation.

It shall be the objective of Chatham-Kent to:

7.1.5.1.1.1 Direct the majority of tourism and recreation-related development to the Primary Urban Centres, Secondary Urban Centres and Hamlet Areas within the shoreline areas.

7.1.5.1.1.2 Direct smaller-scale tourism and recreation-related development in association with a significant lookout, view, natural feature, the lakeshore or agricultural use to Secondary Tourism Nodes.

7.1.5.1.1.3 Protect and enhance important views within the shoreline areas.

7.1.5.1.1.4 Promote the provision and maintenance of overnight accommodations within areas permitted in this Plan to support tourism development.

7.1.5.1.1.5 Promote public access to the lakeshore and associated water-based uses.

7.1.5.1.1.6 Promote the development of gateways to mark significant entry points into the shoreline areas.

7.1.5.1.1.7 Promote the development of Scenic Routes as combined scenic drive and recreational trails that link major tourism, recreation, agriculture and natural heritage features and destinations within the shoreline areas.

7.1.5.1.1.8 Promote the preservation of built heritage and cultural heritage landscapes and archaeological resources.

7.1.5.2 Urban Tourism Nodes

Tourism and economic activities within the shoreline areas will be directed to the Primary Urban Centres and Secondary Urban Centres, and to a lesser extent the Hamlet Areas, where appropriate services are provided to accommodate them. They will function as the primary Urban Tourism Nodes within the shoreline areas. A range of tourism-related uses, including commercial establishments, accommodations, restaurants, entertainment, cultural and institutional uses, and recreational uses shall be encouraged and promoted in the Urban Tourism Nodes.

It shall be the policy of Chatham-Kent that:

7.1.5.2.1.1 The Primary Urban Centres (Chatham, Dresden, Wallaceburg, Blenheim, Ridgetown and Wheatley), Secondary Urban Centres (Merlin, Mitchell's Bay and Thamesville), and to a lesser extent the Hamlet Areas (Morpeth, Shrewsbury, Cedar Springs, and Erieau), are identified as Urban Tourism Nodes on Schedule "F1" and shall be the focus of tourism and economic activities in the shoreline areas.

7.1.5.2.1.2 Tourism development shall be primarily directed to the Downtown/Main Street Areas of the Primary Urban Centres, the Recreational Area designation, and the historic downtown and main street areas of the Secondary Urban Centres and Hamlets, and to a lesser extent, the Highway Commercial Area designation. These areas will support a range of urban tourism and recreational uses, including commercial establishments, accommodations, restaurants, entertainment and cultural and institutional uses, in accordance with the policies of this Plan.

7.1.5.2.1.3 The Municipality shall promote tourism uses that provide for year-round tourism-related activities to create a sustainable tourism industry and support commercial businesses that historically cater to seasonal tourism activities.

7.1.5.3 Secondary Tourism Nodes

The policies of this Secondary Plan provide a framework for the establishment of Secondary Tourism Nodes. Secondary Tourism Nodes provide appropriate locations for

smaller scale and less-intensive tourism development, which may be associated with a significant lookout, view, natural feature, built heritage or cultural landscape feature, or eco-tourism or agriculture-related tourism resources. Secondary Tourism Nodes may accommodate such uses as rest-stop facilities, washroom facilities, staging areas, parking areas, picnic areas, ancillary commercial uses and/or agri-tourism and resource-based tourism uses.

It shall be the policy of Chatham-Kent that:

7.1.5.3.1.1 Secondary Tourism Nodes shall provide suitable locations to accommodate tourism-related uses and features in association with a significant lookout, view, natural feature, built heritage or cultural heritage landscape feature, or eco-tourism or agriculture-related tourism resources. Tourism and recreation-related uses associated with a Secondary Tourism Node shall include:

a) washroom facilities;

b) staging and parking areas;

c) parks, open space and natural conservation areas;

d) picnic areas;

e) information booths or kiosks;

f) small-scale resource-related activities, which may include recreational commercial uses such as recreational equipment sales and rentals, guided tours, birding activities, staging areas, sightseeing, refreshment stands and similar type uses, directly associated with a significant lookout, view, natural feature, built heritage, cultural landscape feature, eco-tourism or agriculture-related tourism resources, but not including motorized recreational vehicle sales and rentals; and

g) other tourism-related uses consistent in keeping with the type, scale and character of the uses outlined above.

h) Institutional or commercial uses that are not directly related to the tourism-related uses and features or are not in keeping with the character of the surrounding area shall not be permitted within Secondary Tourism Nodes.

7.1.5.3.1.2 The establishment of a Secondary Tourism Node will require an amendment to the Secondary Plan and shall be identified on Schedule "F1." The range of uses permitted in Secondary Tourism Nodes shall be established through

a site-specific Zoning By-law amendment and may be subject to Site Plan Control, subject to an evaluation of the following criteria to the satisfaction of the Municipality:

a) ***the use shall be secondary and directly associated with a significant lookout, natural feature, built heritage or cultural heritage landscape feature, or eco-tourism or agriculture-related tourism resources;***

b) ***the use shall respect the visual qualities and characteristics of the area and protect and enhance the area's significant natural features, cultural resources and views;***

c) ***the use shall not require the extension of municipal water or sanitary services, and will be serviced by approved water supply and sewage treatment systems, where required, and provide appropriate stormwater drainage;***

d) ***the use is located on lands that do not comprise specialty crop land;***

e) ***the use shall be located on lower quality agricultural land, where possible;***

f) ***the use shall be located in an area where agricultural land is fragmented, or there shall be little or no impact on agriculture;***

g) ***the use shall be well-removed from potential land-use conflicts such as livestock facilities, operating pits, quarries and waste disposal sites;***

h) ***the use complies with the Minimum Distance Separation Formulae;***

i) ***the use shall be located along or accessible to a Scenic Route;***

j) ***the use shall provide adequate entrances and exits to roads and shall be located as to minimize travel hazards. Access shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means;***

k) ***the use shall provide adequate off-street loading, parking spaces and access;***

l) ***the use shall be located and designed to minimize potential adverse impacts on adjacent residential and other incompatible or sensitive***

uses by buffering measures such as landscaping, berming and building setbacks and layout;

m) development and site alteration shall be consistent with the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan;

n) the construction of tourism or recreation-related buildings identified in Section 7.1.5.3.1.1 is discouraged in areas of Natural Heritage and Hazards Features identified in Section 4.0 of the Official Plan, and subject to the EIS requirements of Section 7.1.3 of this Secondary Plan.

o) any waterfront portion or Scenic Route frontage of the development may be required to accommodate an appropriate trail system providing some form of public trail access and connection to the broader lakeshore trail system, and shall be conveyed to the Municipality at no cost; and

p) the Municipality may impose appropriate controls through the Municipal Act to ensure that the hours of operation of any secondary use do not conflict with adjacent land uses.

7.1.5.3.1.3 The Municipality will seek partnerships and public-private funding opportunities for the establishment of new Secondary Tourism Nodes.

7.1.5.3.1.4 The Municipality recognizes that Secondary Tourism Nodes may benefit from public ownership to ensure the protection of natural features or significant lookouts and to provide for public access, where appropriate. To protect natural features or significant lookouts, and to secure public access where appropriate, the Municipality shall consider options such as:

a) dedication;

b) assistance from other levels of government, agencies and charitable foundations;

c) the bonusing provisions of the Planning Act;

d) land exchange;

e) long-term lease;

f) easement agreements;

g) land trusts; and

h) imposing appropriate conditions on development approval.

Notwithstanding the preceding, the identification and protection of natural heritage features or significant lookouts does not obligate the Municipality to acquire or purchase the land.

7.1.5.4 Water Access and Water-Based Uses

It is the Municipality's objective to provide public access to the waterfront and shorelines through the provision of trails, beach areas, and marina areas to promote recreational opportunities associated with the shorelines.

It shall be the policy of Chatham-Kent that:

7.1.5.4.1.1 The Municipality supports public access to the waterfront through the provision of linked waterfront trails, lookouts, access points, beach areas, marinas and related facilities, such as parking and rest areas, to promote recreational opportunities associated with the shorelines. The Municipality shall support the public use of municipal-owned waterfront property for recreational purposes, where feasible.

7.1.5.4.1.2 The Municipality shall endeavour to maintain municipal-owned land, public rights-of-way and unopened road allowances where they abut the shorelines to protect important views and accommodate opportunities for lakeshore access, where appropriate.

7.1.5.4.1.3 The Municipality may close, retain and designate as parkland any road allowances that abut the shoreline to provide access to the shoreline.

7.1.5.4.1.4 The Municipality shall consider the strategic acquisition of shoreline areas that complement lands owned by the Municipality, Conservation Authorities or other public organizations and are utilized for park or conservation purposes or provide public access to the lakeshore.

7.1.5.4.1.5 Development within the shoreline areas shall not preclude access to the water, but rather facilitate public access to the shorelines, where appropriate. Through the development approvals process, the Municipality shall ensure that public-use access agreements are secured for land along the shoreline as a condition of development. The Municipality shall consider all options for the acquisition and protection of public access to the water, including:

a) dedication;

b) assistance from other levels of government, agencies and charitable foundations;

c) the bonusing provisions of the Planning Act;

d) land exchange;

e) long-term lease;

f) easement agreements;

g) land trusts; and

h) imposing appropriate conditions on development approval.

Notwithstanding the preceding, the protection of public access to the water does not obligate the Municipality to acquire or purchase the land.

7.1.5.4.1.6 To promote the environmental sustainability and recreational amenity of the Municipality's beaches and marinas, the Municipality shall support the pursuit of the internationally recognized Blue Flag Designation, particularly for Erieau Beach, Mitchell's Bay Marine Park and Campground, and Dover Community Park (beach). Private marina operators are also encouraged to pursue a Blue Flag Designation.

7.1.5.4.1.7 The development of new water-based uses such as marinas and beaches are not anticipated by this Secondary Plan as a result of the environmental constraints and impacts regarding the development of such uses. This Secondary Plan recognizes that the most prudent approach to improving marina water access is through the enhancement, enlargement or acquisition of existing marina or beach facilities. The Municipality shall consider the following criteria when evaluating proposals to expand existing water-based uses:

a) a shoreline or coastal study shall be undertaken to assess the appropriateness of the water-based use and shoreline to accommodate the proposed expansion or enlargement;

b) there shall be a demonstrated basis and need for the proposed use;

c) the use shall be well-removed from potential land-use conflicts;

d) the use shall respect the visual qualities and characteristics of the area and protect and enhance the area's significant natural features, cultural resources and views;

e) the use shall be serviced by approved water supply and sewage treatment systems and provide appropriate stormwater drainage;

f) the use shall provide adequate entrances and exits to roads and shall be located as to minimize travel hazards. Access shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means;

g) the use shall provide adequate off-street loading, parking spaces and access;

h) the use shall be located and designed to minimize potential adverse impacts on adjacent residential uses and other incompatible or sensitive uses by buffering measures such as landscaping, berming and building setbacks and layout;

i) development and site alteration shall be consistent with the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan;

j) the construction of new water-based uses and buildings is discouraged in areas of Natural Heritage and Hazards Features identified in Section 4.0 of the Official Plan, and subject to the EIS requirements of Section 7.1.3 of this Secondary Plan;

k) any waterfront portion or Scenic Route frontage of the development may be required to accommodate an appropriate trail system, providing some form of public trail access and connection to the broader lakeshore trail system, and shall be conveyed to the Municipality at no cost;

l) all required permits shall be obtained by the applicant from the relevant federal, provincial and Conservation Authority having jurisdiction, where located within a Regulated Area; and

m) the Municipality may impose appropriate controls through the Municipal Act to ensure that the hours of operation do not conflict with adjacent land uses.

7.1.5.4.1.8 As a first priority, the Municipality shall seek opportunities to enhance existing municipally owned marina and docking facilities. The Municipality shall consider the acquisition of marinas and docking facilities as they become available.

7.1.5.4.1.9 The Municipality will work with the private sector and senior levels of government, including First Nations, to enhance and promote opportunities for commercial shipping facilities, particularly the use of Sydenham River and Wallaceburg docks and the Wheatley docks.

7.1.5.4.1.10 The Municipality shall pursue partnerships with privately owned marinas to enhance private facilities and recreational amenities, and opportunities for improved water transit, such as water taxis and water-vehicle rentals for special events.

7.1.5.4.1.11 The Municipality shall work with other levels of government to investigate opportunities for increasing the speed limit along the Thames River and Sydenham River to encourage water-based traffic along the rivers in support of the Municipality's tourism and recreation objectives. Such investigations must take into consideration the environmental impacts associated with increasing the speed limit along the waterways.

7.1.5.4.1.12 The Municipality shall promote opportunities to establish ferry or cruise services within Chatham-Kent, particularly on Lake Erie, with ports in Erieau and/or Wheatley, to promote tourism and water-based recreation uses.

7.1.5.4.1.13 The Municipality shall promote a sustainable commercial and recreational fishing industry and promote Chatham-Kent as a world-class fishing destination. In doing so, measures to protect and enhance the quality and quantity of the fishery should be considered.

7.1.5.5 Lifestyle / Resort Communities

The Municipality supports the accommodation of lifestyle and resort communities in appropriate locations within the shoreline areas that provide principally residential and recreation-related uses.

It shall be the policy of Chatham-Kent that:

7.1.5.5.1.1 Lifestyle communities, resort communities, and similar type developments in the shoreline areas shall be defined as developments principally residential and recreational in nature. Typical features include, but are not necessarily limited to, smaller residences with extensive recreational and community amenities and abundant open space, which may include access to the water. The development of such communities shall be directed to an Urban Tourism Node, where appropriate services are provided to accommodate them. The development of lifestyle and resort communities in the shoreline areas and outside of an Urban Tourism Node may only be permitted through a comprehensive review of the Official Plan, which includes the consideration of current growth projections, the availability of designated land, and the location and market considerations associated with lands within the

shoreline areas, and subject to an amendment to the Official Plan, in accordance with the policies of Section 6.3.3.9.3 and the following:

a) the development shall be directly related to, or developed in conjunction with, a major recreational resource such as a golf course, a waterfront beach or park, a significant environmental feature or conservation area, or other similar amenity;

b) the development shall be adjacent or in close proximity to an Urban Tourism Node, as identified in Section 7.1.5.2;

c) there is a demonstrated basis and need for the proposed use;

d) the land does not comprise specialty crop land;

e) the development shall be located on land that consists of lower quality agricultural land, when possible;

f) the development shall comply with the Minimum Distance Separation Formulae;

g) the development shall be appropriately serviced by water and sewer systems (municipal or private) in accordance with the policies of this Plan;

h) the development shall be located on an Arterial or Collector road;

i) the development shall be located and designed to minimize potential adverse impacts on adjacent uses by buffering measures such as landscaping, berming and building setbacks and layout;

j) development and site alteration shall be consistent with the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan;

k) the construction of lifestyle and resort communities and related buildings is discouraged in areas of Natural Heritage and Hazards Features identified in Section 4.0 of the Official Plan, and subject to the EIS requirements of Section 7.1.3 of this Secondary Plan;

l) any waterfront portion or Scenic Route frontage of the development shall include an appropriate trail system providing some form of public trail access to the water and connection to the broader lakeshore trail system, which shall be conveyed to the Municipality at no cost;

m) the use shall be subject to a site-specific zoning by-law amendment and subject to Site Plan Control; and

n) all required permits shall be obtained by the applicant from the relevant federal, provincial and Conservation Authority having jurisdiction, where located within a Regulated Area.

7.1.5.6 Accommodations

The Official Plan supports opportunities for camping and recreational vehicle camping to promote the tourism industry. This Secondary Plan supports the provision of various types of overnight accommodations within the shoreline areas to support the Municipality's tourism and economic development objectives. Such accommodations may include bed and breakfast establishments, small inns, hotels and motels, guest houses, resort-oriented condominiums, and recreational vehicle camping, and camping facilities or similar accommodations.

It shall be the policy of Chatham-Kent that:

7.1.5.6.1.1 The Municipality shall promote the provision, maintenance and improvement of roofed accommodations and camping facilities to promote tourism and recreation in appropriate locations within the shoreline areas, where such uses are permitted by the policies of this Plan, and may include bed and breakfast establishments, small inns, hotels and motels, guest houses, lodge-style facilities, resort-oriented condominiums, recreational vehicle camping, and camping facilities or similar accommodations.

7.1.5.6.1.2 Large-scale roofed accommodations, including hotels and motels, resort-oriented condominiums, or similar accommodations, shall be directed to the Primary Urban Centres and Secondary Urban Centres, and where the services, facilities and infrastructure exist to accommodate the use, in accordance with the policies of this Plan. A Market Impact Analysis may be required to support the development approval for large-scale roofed accommodations. The use shall be subject to a site-specific zoning by-law amendment and subject to Site Plan Control.

7.1.5.6.1.3 Small-scale overnight accommodations, including small inns, resort recreational accommodations (rental cabins/cottages etc.), camping grounds, tent and trailer parks, shall be directed to the Recreational Area, Mobile Home Park Area, and to a lesser extent the Agricultural Area designation (subject to the policies of Section 7.1.4 of the Secondary Plan), and where the services, facilities and infrastructure exist to accommodate the use, in accordance with the policies of this Plan. The use shall be subject to a site-specific zoning by-law amendment and subject to Site Plan Control.

7.1.5.6.1.4 Bed and breakfast establishments shall be permitted and encouraged in accordance with the policies of the Official Plan.

7.1.5.6.1.5 The Municipality may utilize the community improvement policies of Section 2.7 of the Official Plan to encourage the provision and maintenance of roofed accommodations.

7.1.5.6.1.6 Development and site alteration shall be consistent with the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan.

7.1.5.6.1.7 The construction of accommodation buildings is discouraged in areas of Natural Heritage and Hazards Features identified in Section 4.0 of the Official Plan, and subject to the EIS requirements of Section 7.1.3 of this Secondary Plan.

7.1.5.6.1.8 All required permits shall be obtained by the applicant from the relevant federal, provincial and Conservation Authority having jurisdiction, where located within a Regulated Area.

7.1.5.7 Scenic Routes

The Municipality supports the identification of Scenic Routes or parkways that accommodate a scenic drive and/or combined recreational trail, within or adjacent to the road right-of-way, which provide a network of major tourist, recreation, agri-tourism and natural environment destinations along the shorelines. It is recognized that Scenic Routes may traverse the boundaries of the Sustainable Shoreline Secondary Plan Area; however, the policies pertaining to Scenic Routes shall be applied consistently to the entire Municipality, where lands have frontage on a Scenic Route.

It shall be the policy of Chatham-Kent that:

7.1.5.7.1.1 Scenic Routes as identified on Schedule "F1" shall be supported, including the:

- ***a) Trans Canada Trail;***
- ***b) Tecumseh Parkway; and***
- ***c) Talbot Trail.***

7.1.5.7.1.2 Changes to the locations of Scenic Routes shall be permitted to accommodate the actual on-ground route, without the need for an amendment to this Plan.

7.1.5.7.1.3 Additional Scenic Routes may be identified through an amendment to this Plan and included on Schedule "F1," including the Underground Railroad, Wine Route; and other Scenic Routes such as along the north Sydenham River, south Thames River routes, Lake Erie shoreline and routes associated with Lake St. Clair.

7.1.5.7.1.4 The Municipality shall pursue opportunities to establish Highway 3/Talbot Trail along the Lake Erie shoreline as part of Ontario's South Coast tourism initiative in partnership with Haldimand County, Norfolk County, Elgin County and Essex County.

7.1.5.7.1.5 The following policies will provide general guidance to the establishment of Scenic Routes and parkways:

a) Route connections and partnerships with adjacent municipalities and First Nations should be considered to promote inter-regional tourism and economic development opportunities.

b) The Municipality shall promote the development of recreational, commercial and tourism-related uses along Scenic Routes by providing a range of appropriate development opportunities in accordance with the policies of this Plan, including agricultural and resource-based tourism activities and related uses along the Scenic Routes (i.e., eco-tourism, wineries, bed and breakfasts, small-scale resource-related uses, etc.).

c) The Municipality supports the continuity of Scenic Routes as a slow-travel Scenic Route and shall look at opportunities to decrease speed limits where appropriate to address safety concerns related to visibility and road alignment.

d) The Municipality shall promote the creation of a safe environment and monitor the level and volume of traffic along Scenic Routes to ensure adequate traffic movement and safety and limit heavy truck traffic where feasible.

e) The Municipality shall promote the creation of an aesthetically pleasing route, with attention to building orientation, access and egress, outside storage, landscaping, fencing and signage.

f) The Municipality shall promote the creation of the on-road/off-road recreational trail component to Scenic Routes, where feasible, to achieve the following objectives:

- *seek opportunities to bring it closer to the shoreline, in consideration of the public interest, to provide access to*

the lakeshore, to introduce more diverse recreational opportunities; and

- *consider establishing recreational trail components to Scenic Routes when resurfacing or upgrading the roadways.*

g) Where a development approval along a Scenic Route is required in accordance with Section 6.3 of the Official Plan, a strip of land along the road right-of-way, or along the shoreline above the stable top-of-bank should be dedicated by the landowner to the Municipality to form part of the recreational trail.

h) The Municipality shall encourage the protection of prominent shoreline views and vistas along Scenic Routes through the review of development applications, and by working with property owners in considering options for features such as building profiles, location, height and landscaping.

i) Signage along Scenic Routes should be consistent with the Municipal Signage Strategy and should orient travellers to the shoreline-area attractions.

j) The Municipality shall consider the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan.

7.1.5.7.1.6 The Municipality shall, where appropriate, acquire land in strategic locations for the development of Scenic Routes, which shall be achieved through a number of means including, but not limited to:

a) the natural heritage policies of Section 4.7;

b) acquisition through the development approvals process;

c) bringing Natural Heritage Features and associated land into public ownership in accordance with the policies of the Plan; and

d) the use of negotiated conservation easements.

Nothing in this Plan shall be construed as compelling the Municipality to purchase any private land as a means to achieve these policies.

7.1.5.8 Waterfront Trails and Blue Trails

The Municipality supports the establishment of waterfront trails and blue trails, which consist of navigable waterways that accommodate water-based recreational uses, such as canoeing and kayaking.

It shall be the policy of Chatham-Kent that:

7.1.5.8.1.1 The Municipality shall incorporate the recommended trail network identified in the Chatham-Kent Trails Master Plan in the Official Plan during the next Official Plan review.

7.1.5.8.1.2 The Municipality shall support the development of waterfront trails within the shoreline areas and along the major riverine systems for the creation of off-road pedestrian walking and hiking paths.

7.1.5.8.1.3 The Municipality shall support the development of blue trails that consist of navigable water trails, which provide suitable locations for access to and from the water by canoe and kayak within the shoreline areas and along the major riverine systems. Wallaceburg has been identified as an important opportunity for the establishment of blue trails, as it may provide for a continuous looped blue trail system. The Municipality shall identify other opportunities for the establishment of blue trails.

7.1.5.8.1.4 The Municipality will promote the development of historic walks and tours within the shoreline settlement areas, particularly the historic downtown areas of Chatham and Wallaceburg.

7.1.5.8.1.5 The Municipality will seek to establish partnerships with other levels of government, First Nations and agencies to promote the creation of waterfront trails and blue trails.

7.1.5.8.1.6 The Municipality shall work to bring accessible land and trails along Scenic Routes into public ownership for the use and enjoyment of the Municipality's residents and visitors. Where required, the strategic acquisition of land for the development of trails and Scenic Routes shall be achieved through a number of means including, but not limited to:

- ***a) the natural heritage policies of Section 4.7;***
- ***b) acquisition through the development approvals process;***
- ***c) bringing Natural Heritage Features and associated land into public ownership in accordance with the policies of the Plan***
- ***d) the use of negotiated conservation easements.***

Nothing in this Plan shall be construed as compelling the Municipality to

purchase any private land as a means to achieve these policies.

7.1.5.8.1.7 The Municipality shall consider the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan in the development of trails.

7.1.5.9 Cultural Heritage Resources

The Municipality has a rich history of cultural heritage that includes historically significant and architecturally significant buildings and structures, archaeological and cultural sites and cultural landscapes. This Secondary Plan promotes the enhancement of these resources as a component of the promotion of tourism and recreational uses in the shoreline areas. The policies of Section 5.3 of the Official Plan provide guidance regarding the conservation of cultural heritage resources. In addition, the policies of this Secondary Plan support the designation of heritage districts and cultural heritage landscapes in the shoreline areas.

It shall be the policy of Chatham-Kent that:

7.1.5.9.1.1 The Municipality in consultation with the Municipal Heritage Committee (MHC) may undertake the study of and consider the designation of historic downtown areas as heritage conservation districts within the shoreline areas under Part V of the Ontario Heritage Act, and in accordance with the policies of Section 5.3.2.11 of the Official Plan, including but not limited to the identified heritage conservation districts recommended in the Municipality's Urban Design Guidelines, including historic areas of Chatham, Wallaceburg, Dresden, Bothwell, Thamesville and Ridgetown, in addition to the historic downtown areas of Erieau and Wheatley.

7.1.5.9.1.2 The Municipality may undertake the study and consider the implementation of management plans for what may be considered important local, regional and/or national cultural heritage landscapes.

7.1.5.9.1.3 The Municipality in consultation with First Nations may investigate opportunities along the shoreline and rivers to identify First Nations cultural heritage resources, as a component of the Municipality's tourism strategy and the conservation of cultural heritage resources.

7.1.5.9.1.4 The Municipality in consultation with the MHC and First Nations may undertake the preparation of an Archaeological Management Plan (AMP), which would assist in identifying areas of potential or known archaeological resources. The AMP may be focused on the shoreline areas and particularly along the water's edge.

7.1.5.9.1.5 Within the shoreline areas, there may be marine archaeological resources,

including the remains of boats, artifacts, docks, and other items of cultural heritage value. Where development requires a development approval in accordance with Section 6.3 of the Official Plan, the applicant will consult with the Municipality, which will coordinate with the appropriate agencies to determine where there is a high potential for marine archaeological resources. Where a high potential for marine archaeological resources exists, the Municipality shall require a marine archaeological survey to be conducted by a licensed marine archaeologist to the satisfaction of the Municipality and the Ministry of Tourism and Culture.

7.1.5.10 Lookouts

Lookouts shall be promoted by the Municipality in locations suitable for establishing a more formal venue from which to experience significant views, vistas and panoramas of the shorelines. Such lookouts are important to understanding the overall configuration, character and landscape of the Municipality's waterfront and promoting tourism activities such as birding within the shoreline areas. It is intended that ancillary tourism-related uses may be associated with lookouts, as in the policies of Section 7.1.5.3 (Secondary Tourism Nodes).

It shall be the policy of Chatham-Kent that:

7.1.5.10.1.1 The development of lookouts shall be promoted by the Municipality in strategic locations suitable for establishing a more formal venue from which to capture significant views, vistas, and panoramas of the shorelines. These lookouts may include formal seating and viewing areas, elevated lookout towers and associated buildings and structures.

7.1.5.10.1.2 Lookouts should be accessible and integrated with Scenic Routes and other trail systems to promote an interconnected network of tourism-related uses.

7.1.5.10.1.3 The Municipality shall endeavour to identify significant lookouts within the shoreline areas, which shall be preserved, protected and enhanced through the development approvals process, and by limiting development within certain areas.

7.1.5.10.1.4 The Municipality will seek partnerships and funding opportunities for the establishment of lookouts.

7.1.5.10.1.5 The Municipality recognizes that lookouts may benefit from public ownership to ensure the protection of the feature and to provide for public access, where appropriate. The Municipality shall consider all options for the strategic acquisition and protection of lookouts, including:

a) dedication;

b) assistance from other levels of government, agencies and charitable foundations;

c) the bonusing provisions of the Planning Act;

d) land exchange;

e) long-term lease;

f) easement agreements;

g) land trusts; and

h) imposing appropriate conditions on development approval.

Notwithstanding the preceding, the identification of land as a lookout does not obligate the Municipality to acquire or purchase the land.

7.1.5.10.1.6 All required permits shall be obtained by the applicant from the relevant federal, provincial and Conservation Authority having jurisdiction, where located within a Regulated Area.

7.1.5.10.1.7 The Municipality shall consider the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan in the development of lookouts.

7.1.5.11 Important Views

This Plan recognizes the importance of preserving and enhancing the important views that are experienced every day from publicly accessible streets perpendicular to the shoreline within the settlement areas, rights-of-way and elsewhere along the shorelines, in addition to views of the shorelines from the water.

It shall be the policy of Chatham-Kent that:

7.1.5.11.1.1 The Municipality may identify important views within the settlement areas, rights-of-way and elsewhere along the shorelines, which shall be preserved, protected and enhanced through the development approvals process, and by limiting development within certain areas.

7.1.5.11.1.2 The Municipality shall endeavour to maintain municipal-owned land, public rights-of-way and unopened road allowances where they abut the lakeshore to protect important views and accommodate opportunities for

lakeshore access where appropriate, in accordance with the policies of this Plan.

7.1.5.11.1.3 The Municipality shall endeavour to maintain important views, particularly views at the lake or river level, which are often obstructed by invasive species, through maintenance and conservation programs.

7.1.5.12 Gateways

Gateways provide important opportunities to mark entry into the shoreline areas and settlements in a more formal manner, in partnership with other stakeholders and landowners. The Plan promotes the identification of significant gateways to promote the shoreline areas as tourism and recreational destinations.

It shall be the policy of Chatham-Kent that:

7.1.5.12.1.1 Gateways shall be promoted as opportunities to mark significant entry points to the shoreline settlement areas and significant natural or cultural resources, through signage, landscaping, decorative fencing and landscaping, or structures that are consistent with the character of the area and the surrounding environment. Gateways, once identified, shall be conceptually identified on Schedule "F1."

7.1.5.12.1.2 Gateway locations provide an enhanced opportunity for clustering commercial and tourism-related uses where they are located within an existing settlement area or in combination with a Secondary Tourism Node.

7.1.5.12.1.3 The Municipality supports the undertaking of a Gateway Study to identify appropriate locations for the gateways within the shoreline areas, and the use of consistent themes, materials and signage, in consideration of the Municipality's Signage Strategy.

7.1.5.13 Signage

The Municipality has prepared a Municipal Signage Strategy, which offers a comprehensive signage strategy to provide directional signage and wayfinding systems to direct residents and visitors to significant sites and features within the Municipality. The implementation of this strategy will greatly assist in promoting tourism and recreation throughout the shoreline areas, and in achieving the vision expressed in this Secondary Plan.

It shall be the policy of Chatham-Kent that:

7.1.5.13.1.1 The Municipality shall implement the recommendations of the Municipal Signage Strategy to provide a consistent signage strategy for the shoreline

areas to promote tourism and economic development through the marketing and advertising of Scenic Routes and natural assets within the shoreline areas. Signage should be coordinated in partnership with other shoreline signage initiatives of other levels of government, Conservation Authorities, and agencies.

7.1.6 Community Design Strategy

7.1.6.1 Community Design

The Community Design Strategy builds upon the community design policies of the Official Plan, particularly the downtown and main street policies of Section B.2.2.2 as they relate to the Primary Urban Centres. A community design strategy is proposed for the shoreline area communities that reinforces and enhances the character of the existing heritage built forms, while embracing contemporary community and building design principles that promote more sustainable development.

The Municipality's Urban Design Guidelines provide both general and community-specific urban design guidelines for the communities of Chatham-Kent, and particularly the relationship of these communities to the shorelines and rivers. Development within the shoreline areas shall be evaluated with regard to the Official Plan community design policies, the Community Design Strategy outlined in this Section, and the Municipality's Urban Design Guidelines.

The community design strategy recognizes the relationship of communities to the water, where traversed by small creeks or where a river or a lake provides the main focus of the community. These communities founded on water systems can improve their relationship to the water by developing both sides of the water's edge, where feasible, improving connections from the river or lakeshore to the main street and developing urban and open spaces cohesively.

The Community Design Strategy also encourages the development of neighbourhoods and the design and construction of buildings based on the principles of sustainability. Sustainable neighbourhood and building design shall promote the following objectives: reducing the consumption of energy, land and other non-renewable resources; minimizing the waste of materials, water and other limited resources; fostering the creation of healthy and complete living environments; and reducing greenhouse gases.

The Municipality's Urban Design Guidelines provide more specific urban design guidelines and identify built form, road and streetscape improvements for the shoreline area communities of Highgate, Merlin, Morpeth, Bothwell, Erieau, Blenheim, Dresden, Ridgetown, Thamesville, Wheatley, Wallaceburg and Chatham. Furthermore, the Municipality's Urban Design Guidelines identify potential heritage conservation districts for designation and associated guidelines, including the historic areas of Chatham, Wallaceburg, Dresden, Bothwell, Thamestown and Ridgetown, Erieau and Wheatley.

It shall be the objective of Chatham-Kent to:

7.1.6.1.1.1 Promote the use of the Municipality's Urban Design Guidelines to direct the development of buildings and streetscapes that are consistent with the established historic character of the respective communities within the shoreline areas.

7.1.6.1.1.2 Promote the development of neighbourhoods and the design and construction of new buildings based on the principles of sustainability and sustainable building design within the shoreline areas.

7.1.6.1.1.3 Promote safe community design measures.

It shall be the policy of Chatham-Kent that:

7.1.6.1.2.1 Development applications within the shoreline area communities will demonstrate how the proposal conforms to the general intent and guidelines of the Municipality's Urban Design Guidelines and the Community Design Strategy policies of this Secondary Plan.

7.1.6.1.2.2 Development and redevelopment adjacent to the waterfront, particularly within the downtown and main street areas, and where a waterfront trail, sidewalk, public open space area, access to the water or other public feature is present or planned, shall provide for enhancements that will emphasize and utilize the presence of the waterfront and public space through the following means:

a) encourage buildings to face the waterfront by providing primary or secondary accesses, window and display areas, and outdoor seating areas oriented toward the water's edge;

b) provide direct access to the building from the adjacent public open-space areas;

c) encourage development above the ground floor to accommodate views of the waterfront and provide visual amenity to the shorelines;

d) ensure that buildings are planned to accommodate uses that promote pedestrian activity, including retail uses, specialty shops and boutiques, restaurants, cafes, and outdoor seating areas, which attract residents and visitors;

e) provide appropriate signage, lighting and landscaping to create an attractive and inviting pedestrian environment;

f) minimize the amount and extent of parking adjacent to the water's edge, and appropriately screen loading areas and outdoor garbage/recycling facilities; and

g) provide pedestrian connections between the water's edge and the main street area.

7.1.6.1.2.3 Development and redevelopment shall enhance the historical character of the core area, where one exists, and buildings and streetscapes that conform with the Municipality's Urban Design Guidelines will be encouraged within the shoreline areas.

7.1.6.1.2.4 Development and redevelopment requiring improvements to municipal road right-of ways shall be required to incorporate streetscaping in compliance with the Municipality's Urban Design Guidelines.

7.1.6.1.2.5 While Part B, Section B.2.2.7 provides general community design policies related to the Downtown/Main Street areas of Primary Urban Centres located on the rivers, the policies shall also apply to the downtown and main street areas within the Secondary Urban Centres and Hamlets within the shoreline areas, including:

a) development or redevelopment of riverfront lands shall make provision for public access and pedestrian linkages, and will be encouraged to make the river a focal point of the downtown and main street areas;

b) both the land-based and water-based activities associated with the waterfront shall be encouraged to strengthen their relationship to the downtown and main street areas;

c) the waterfront shall be developed and maintained to reinforce its links to the downtown and main street areas in such a manner so as to serve the varied interests of visitors, tourists, recreational users, marine users, residents of the area and the general public;

d) the waterfront and downtown and main street areas shall be developed, redeveloped and managed as a linked land use and water use area in terms of the following criteria:

i) that public access to the waterfront be maintained at street-ends, over public open-space areas, and along the water's edge;

ii) that the private security and enjoyment of the area by the water-based marine users, commercial establishments and

local residents be respected in providing public access to the waterfront;

iii) that visual access to the water area be provided at the streets in the downtown and main street areas that terminate at the waterfront, and wherever possible around buildings located adjacent to the waterfront, and that this access be maintained in association with open-space areas; and

iv) that adequate public parking be provided along the waterfront or in close proximity to the access points, to service the public parking needs of tourists, recreational users and the general public.

e) the development of the waterfront lands shall be promoted as a continuous public open-space system. No publicly owned land shall be disposed of in these areas, and the Municipality will attempt to acquire privately owned lands when appropriate and feasible.

f) the tourist potential of the waterfront area should be enhanced by the development of water-related recreational, commercial and entertainment facilities. The development and design of facilities along the waterfront shall not interfere with the development of a continuous public walkway at or near the water's edge.

g) where feasible, there shall be uniformity of design for elements such as benches, railings, lighting fixtures, walkways and signs. The architecture of buildings to be built on the waterfront should reflect a common theme for the waterfront.

h) docking facilities for transient pleasure boats, display ships and tour boats are permitted along the shoreline of the waterfront.

i) the waterfront provides a unique and desirable location for public facilities that will serve the cultural interests of both residents and tourists. Such uses may include educational or heritage displays and exhibits on matters of local importance.

j) the shoreline areas provide unique habitat and natural heritage features, which should be protected and enhanced to maintain a healthy environment.

7.1.6.1.2.6 All required permits shall be obtained by the applicant from the relevant federal, provincial and Conservation Authority having jurisdiction, where

located within a Regulated Area.

7.1.6.1.2.7 The Municipality shall consider the natural heritage policies of Section 4.0 of the Official Plan and Section 7.1.3 of this Secondary Plan in community design initiatives.

7.1.6.2 Sustainable Neighbourhood Design

Leadership in Energy and Environmental Design for Neighbourhood Design (LEED ND) is a set of standards for neighbourhood location and design, based on the principles of smart growth, new urbanism, and green building. LEED ND provides a rating system that is voluntary and grounded in sustainability principles that promote energy conservation and minimize environmental impacts. LEED ND, prepared by the Canada Green Building Council, promotes numerous sustainability principles to encourage the design of sustainable neighbourhoods. LEED ND provides a tool to ensure that development is undertaken in a manner that is environmentally responsible and sustainable, and establishes a rating system for recognizing and rewarding sustainable development practices.

This Secondary Plan supports sustainable development practices within the shoreline areas that are energy efficient, conserve water and natural resources, and minimize emissions.

It shall be the policy of Chatham-Kent that:

7.1.6.2.1.1 The Municipality shall encourage the design of sustainable neighbourhoods within the shoreline areas, in keeping with LEED ND sustainability principles.

7.1.6.2.1.2 The Municipality shall promote the use of the LEED ND Project Checklist and encourage the consideration and application of principles in the design and development of neighbourhoods within the shoreline areas.

7.1.6.2.1.3 The following criteria should be addressed in the development of sustainable neighbourhood forms:

- ***a) the creation of more compact, walkable and pedestrian-oriented neighbourhoods;***
- ***b) the promotion of mixed-use developments, as opposed to isolated single-use commercial or institutional complexes;***
- ***c) the promotion of the creation of human-scale environments;***
- ***d) the provision of opportunities for residents' daily activities to occur within walking distances;***

e) the creation of a modified grid pattern with interconnected road networks; and

f) the continuation or extension of existing street patterns and neighbourhood forms where feasible and appropriate.

7.1.6.2.1.4 The following measures shall be promoted to improve air quality and energy efficiency:

a) encourage higher density uses along Arterial and Collector roads;

b) provide bicycle facilities, particularly in combination with higher density uses and large traffic-generating uses;

c) promote an interconnected street network to minimize trip lengths;

d) identify a strategy to accommodate public parking facilities at key locations to minimize vehicular trips;

e) promote the development of green roofs to improve energy efficiency;

f) promote the use of porous pavement materials to increase water infiltration and reduce stormwater runoff;

g) encourage the reduction of energy and residential combustion emissions through a range of approaches, including the development of R-2000 homes and similar commercial construction standards such as LEED, and the incorporation of Energy Star appliances;

h) review the layout of new developments to promote energy conservation measures;

i) encourage landscape design that promotes the use of native species and enhancement of ecological functions; and

j) encourage the development of buildings powered by renewable energy systems, both passive and active.

7.1.6.2.1.5 The Municipality shall support the promotion and identification of dark sky communities within the shoreline areas, thereby reducing light emissions to

the sky and encouraging energy conservation initiatives, through the use of directional, low-level lighting and other means, where appropriate.

7.1.6.3 Safe Community Design

This Secondary Plan promotes the design of safe communities by encouraging the implementation of the principles of Crime Prevention Through Environmental Design (CPTED) within the shoreline areas.

It shall be the policy of Chatham-Kent that:

7.1.6.3.1.1 The Municipality shall promote the implementation of the principles of Crime Prevention Through Environmental Design. Specifically, the Municipality shall encourage proponents of new development within the shoreline areas to:

a) promote the continuous occupancy of public spaces by encouraging uses, activities and businesses that provide public presence throughout the day and are adjacent to public spaces;

b) provide opportunities for visual overlook and accessibility to public spaces, streets, and parks;

c) provide clear, unobstructed views of public spaces, including parks, school areas and open-space areas from adjacent streets;

d) ensure the use of appropriate lighting to deter crime;

e) situate buildings to encourage "eyes on the street" and natural surveillance;

f) encourage the provision of views into, out of and through publicly accessible interior spaces; and

g) provide improved accessibility for disabled and elderly persons.

7.1.6.4 Sustainable Building Forms

Leadership in Energy and Environmental Design (LEED) Canada for New Construction and Major Renovations (LEED Canada–NC) was approved in 2004, tailored specifically for Canadian climates, construction practices and regulations. LEED Canada–NC provides an industry accepted definition for "green building" and provides a set of environmental performance criteria for practices, standards and technologies.

The Municipality shall encourage the consideration of the Project Checklist

for LEED Canada–NC and the application of practices, standards and technologies in the design and development of buildings within the shoreline areas in each of the focus areas outlined in the following checklist:

- Sustainable Sites;
- Water Efficiency;
- Energy and Atmosphere;
- Materials and Resources;
- Indoor Environmental Quality; and
- Innovation and Design Process.

It shall be the policy of Chatham-Kent that:

7.1.6.4.1.1 The Municipality shall promote the location and orientation of buildings to provide visual interest and a cohesive and pedestrian friendly streetscape, through the following measures:

a) buildings, structures and landscaping shall be designed to provide visual interest to pedestrians and an appropriate scale with the street. Generally, building heights should be related to road widths to create a more comfortable pedestrian environment;

b) buildings on corner lots should be sited and massed toward the intersection to provide visual interest. The rear and side elevations of buildings on corner lots should be designed to take advantage of their added visibility; and

c) residential garages should be designed so that they are not the dominant feature along the streetscape and do not project into the front yard or occupy a disproportionate area of the lot frontage.

7.1.7 Interpretation

In addition to the interpretation policies of Section 6.8 of the Official Plan, the following policies will assist the Municipality in the interpretation and implementation of the policies contained within the Sustainable Shorelines Secondary Plan:

It shall be the policy of Chatham-Kent that:

7.1.7.1 The policies of Part A and Part B of the Official Plan continue to apply to the shoreline areas, and the policies provided in Section 7.1 contain more detailed policy guidance related to the sustainability of the shoreline areas. The Official Plan and Secondary Plan policies are intended to be read in their entirety and the relevant policies are to be applied to each situation.

7.1.7.2 References to the Sustainable Shorelines Secondary Plan, Secondary Plan, or Section 7.1, shall mean the contents of Section 7.1 and the related Schedule "F1," which comprise the Secondary Plan for the Sustainable Shorelines Secondary Plan Area as defined in Schedule "F1."

7.1.7.3 The policies of this Secondary Plan shall apply to lands located within the Sustainable Shoreline Secondary Plan Area as identified on Schedule "F1." It is recognized that during the next Official Plan review, the Municipality in consultation with the public, agencies and other stakeholders may review and identify policies that may be applicable to the entire Municipality to assist in achieving the Municipality's vision for the promotion of sustainable shoreline areas. The Municipality may consider the policies of this Secondary Plan when reviewing development applications that extend beyond the Sustainable Shorelines Secondary Plan Area, where the lands exhibit characteristics similar to the shoreline areas and have a significant relationship to the shoreline areas.

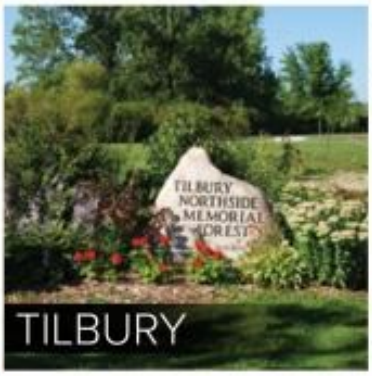
7.1.7.4 The policies of this Secondary Plan make reference to the Community Sustainability Plan for the Shoreline Areas. While not a statutory document, the Community Sustainability Plan is a companion plan to the Secondary Plan, which identifies more specific actions and programs to implement the policies of this Secondary Plan, and should be read together with this Secondary Plan.

7.1.7.5 It is recognized that the Scenic Routes identified in this Secondary Plan extend beyond and traverse the boundaries of the Sustainable Shorelines Secondary Plan Area. It is the intent of this Secondary Plan that policies pertaining to the Scenic Routes be applied consistently throughout the Municipality where lands have direct frontage on a Scenic Route.

PART B

SUSTAINABLE CHATHAM-KENT

URBAN CENTRE PLAN FOR ALL SEVEN PRIMARY URBAN CENTRES



PRIMARY URBAN CENTRES

PART B

URBAN CENTRE PLAN FOR THE PRIMARY URBAN CENTRES

B.1 GENERAL

Part B of the Official Plan contains the Urban Centre Plan for the Primary Urban Centres that are planned as the major areas for urban growth in Chatham-Kent. The Urban Centre Plan contains detailed land-use plans and policies to guide the use and development and/or redevelopment of lands in those communities.

It shall be the policy of Chatham-Kent that:

B.1.1 ***In accordance with the provisions of Section B.1 of this Official Plan, an Urban Centre Plan shall be prepared for the Primary Urban Centres designated on Schedule "A" Series – Land Use in Part A to this Official Plan.***

B.1.2 ***The Urban Centre Plan shall be adopted as part of this Official Plan.***

B.1.3 ***The Urban Centre Plan shall provide detailed land-use policies to guide development and/or redevelopment in the Primary Urban Centres, in addition to the policies contained in Part A of this Official Plan.***

B.1.4 ***Expansions of the Primary Urban Centres will be reviewed under the Policies of Section 2.3.6.2.13 and Section 6.3.3.10 of this Plan, and will require the preparation of site-specific amendments to the Official Plan or area-based Secondary Plans, depending upon the type, scale and range of proposed land uses and the number and size of properties involved, as determined by the Municipality. Secondary Plans shall also be adopted as amendments to this Official Plan.***

B.1.5 ***Secondary Plans prepared for proposed urban area expansions shall address:***

- ***a) the provision of housing, employment, commercial services, community facilities, parks and open space in the planning area;***
- ***b) the provision and adequacy of roads and hard services to serve the planning area;***
- ***c) the phasing and financing of development in the planning area; and***
- ***d) the requirements of Section 2.3.6.2.6 of this Plan.***

B.1.6 Part B of the Official Plan shall also include the Secondary Plans prepared for the Primary Urban Centres in the Municipality. The Secondary Plans are contained in Section B.2.13.

B.2 URBAN CENTRE PLAN FOR THE BLENHEIM, CHATHAM, DRESDEN, RIDGETOWN, TILBURY WALLACEBURG AND WHEATLEY PRIMARY URBAN CENTRES

The Chatham Urban Centre, with a 2011 population of 45,100, is the largest community in Chatham-Kent and offers a wide range of residential, employment, shopping and recreational opportunities. The Chatham urban community is the focal point of municipal government and the regional service centre for Chatham-Kent. The majority of Chatham-Kent's industrial and retail commercial base is located in Chatham.

Chatham's downtown/historic core area is the centre of pedestrian-oriented retail, office, civic, cultural, entertainment and government activity in the Municipality. The Municipality will encourage both public and private sector initiatives to improve its streetscapes, building facades and infrastructure, and new dining, tourism, recreation, retail and entertainment uses in the downtown. It will thus continue to be the community focal point and meeting place for both residents and visitors to Chatham-Kent.

As the regional centre and the largest urban community in Chatham-Kent, Chatham is expected to attract the majority of population growth. The Urban Centre Plan provides for a full range of residential land uses and densities in Chatham. The Chatham downtown works in tandem with the power centres and district shopping centres in Chatham and the downtowns or main streets in the other primary urban centres to serve the broader shopping needs of Chatham-Kent residents. These areas represent the upper end of Chatham-Kent's retail commercial hierarchy. To ensure a healthy community, this Urban Centre Plan provides for a balance of residential, employment and recreational or open-space uses.

The Primary Urban Centres of Blenheim, Dresden, Ridgetown, Tilbury, Wallaceburg and Wheatley range in size from populations of 10,200 (Wallaceburg) to 2,500 (Dresden). The Urban Centre Plan provides for a range of residential, employment, shopping and recreational opportunities that are well beyond what is available in the Secondary Urban Centres, Hamlets and Rural Settlement Areas. At the same time, these Primary Urban Centres are at a scale that provides residents with a strong sense of connection to their communities.

At the heart of each of these Primary Urban Centres is a Downtown or Main Street Area that represents the historic core area of the community and continues to serve the community's needs for a range of shopping, dining, entertainment, tourism promotion, employment and public services. The policies in this Urban Centre Plan are intended to promote and support the long-term vitality of the Downtown and Main Street Areas in the seven Primary Urban Centres.

Wrapped around the historic core areas are both existing and planned residential uses, employment uses, public facilities, open space and conservation lands. The policies in

this Urban Centre Plan are intended to ensure the long-term sustainability of the Primary Urban Centres by encouraging certain types of development, identifying areas for environmental protection, and guiding the use of land to help maintain a balance between places to live, work and play within the community. For some of the Primary Urban Centres in Chatham-Kent, development has occurred adjacent to major watercourses, and special policies are provided in this Urban Centre Plan that address the potential hazards, along with the cosmetic value and economic development opportunities associated with these watercourses.

B.2.1 GENERAL

It will be the policy of Chatham-Kent that:

B.2.1.1 ***The purpose of this Urban Centre Plan will be to establish a more detailed planning framework for the Blenheim, Chatham, Dresden, Ridgetown, Tilbury, Wallaceburg and Wheatley Primary Urban Centres in support of the general policy framework provided in Part A of this Official Plan.***

B.2.1.2 ***The Blenheim, Chatham, Dresden, Ridgetown, Tilbury, Wallaceburg and Wheatley Urban Centres will be designated "Primary Urban Centre" on Schedule "A" Series – Land Use to this Official Plan.***

B.2.1.3 ***The detailed land uses for the Blenheim, Chatham, Dresden, Ridgetown, Tilbury, Wallaceburg and Wheatley Primary Urban Centres shall be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.1.4 ***The Municipality will encourage redevelopment of brownfield sites and former institutional sites. Amendments to the Urban Centre Plan to facilitate redevelopment of brownfield sites and former institutional uses will be evaluated based on the policies of the Official Plan.***

B.2.2 DOWNTOWN/MAIN STREET AREA POLICIES

B2.2.1 The Downtown/Main Street Area for the Primary Urban Centres shall be designated on the Schedule "E" Series – Land Use to this Official Plan.

B.2.2.2 The following policies shall apply to the Downtown/Main Street Area in the Chatham Urban Centre:

B.2.2.2.1 The Chatham Downtown/Main Street Area shall be recognized and reinforced as the historic core area of Chatham and the community focal point of Chatham-Kent. It shall contain a concentration of pedestrian-oriented retail, business, financial, office, residential, dining, cultural, entertainment, tourist and institutional uses. A mix of uses including retail commercial, multiple density residential, business and professional offices, restaurants, cultural, recreational and entertainment uses shall be encouraged to locate in the Chatham Downtown/Main Street Area to reinforce it as an important shopping area, a centre of business and finance, a people place and a community meeting place or focal point for residents and visitors.

B.2.2.2.2 Mixed-use commercial or residential intensification, free-standing residential intensification, infill and development or redevelopment projects shall be encouraged in the Chatham Downtown/Main Street Area. The intensification or redevelopment of underutilized and/or incompatible sites shall be encouraged.

B.2.2.2.3 The predominant built form within the Chatham Downtown/Main Street Area shall be multi-storey buildings.

B.2.2.2.4 Permitted uses in the Chatham Downtown/Main Street Area shall be pedestrian-oriented retail and service commercial, offices, restaurants, cultural, tourism, recreation, entertainment, accommodation, personal services and residential uses. Major office buildings, hotels, cultural and performing arts facilities and institutional facilities that will enhance the downtown as the community focal point for Chatham-Kent shall be encouraged to locate in the Chatham Downtown/Main Street Area.

B.2.2.3 The policies of this section shall specifically apply to the Blenheim, Dresden, Ridgetown, Tilbury, Wallaceburg and Wheatley Downtown/Main Street Areas:

B.2.2.3.1 The Downtown/Main Street Area is recognized as the historic core area and the predominant function shall be as the primary retail and service commercial centre in those Primary Urban Centres.

B.2.2.3.2 The predominant use of land within the Downtown/Main Street Area shall be mixed use, predominantly comprising retail and service commercial and residential uses.

B.2.2.3.3 Permitted uses shall include retail, service, recreational and tourism-related commercial uses, entertainment, cultural, community, business and professional offices, institutional and residential uses, as more specifically defined in the Zoning By-law.

B.2.2.4 To provide interest and activity at ground level on the major streets, retail commercial uses are encouraged on the main floor of buildings, and office and residential uses are encouraged on upper floors.

B.2.2.5 Development or redevelopment shall enhance the historical character of the core area, and buildings and streetscapes that conform with the Municipality's Urban Design Guidelines will be encouraged.

B.2.2.6 Development or redevelopment requiring improvements to adjacent road rights-of-way shall be required to incorporate streetscaping in compliance with the Municipality's Urban Design Guidelines.

B.2.2.7 For Downtown/Main Street Areas located on rivers:

a) development or redevelopment of riverfront lands shall make provision for public access and pedestrian linkages, and will be encouraged to make the river a focal point of the Downtown/Main Street Area;

b) both the land-based and water-based activities associated with the waterfront shall be encouraged to strengthen their relationship to the Downtown/Main Street Area;

c) the waterfront shall be developed and maintained to reinforce its links to the downtown in such a manner so as to serve the varied interests of visitors, tourists, recreational users, marine users, residents of the area and the general public;

d) the waterfront and Downtown/Main Street Areas shall be developed, redeveloped and managed as a linked land use and water use area in terms of the following criteria:

i) that public access to the waterfront be maintained at street-ends, over public open-space areas, and along the water's edge;

ii) that the private security and enjoyment of the area by the water-based marine users, commercial establishments and local residents be respected in providing public access to the waterfront;

iii) that visual access to the water area be by the streets in the Downtown/Main Street Area that terminate at the waterfront, and wherever possible around buildings located

adjacent to the waterfront, and be maintained in association with open space-areas; and

iv) that adequate public parking be provided along the waterfront or in close proximity to the access points, to serve the public parking needs of tourists, recreational users and the general public.

e) the development of the waterfront lands shall be promoted as a continuous public open-space system. No owned land shall be disposed of in these areas, and the Municipality will attempt to acquire privately owned lands where appropriate and feasible.

f) the tourism potential of the waterfront area should be enhanced by the development of water-related recreational, commercial and entertainment facilities. The development and design of facilities along the waterfront shall not interfere with the development of a continuous public walkway at or near the water's edge.

g) where feasible, there shall be uniformity of design for elements such as benches, railings, lighting fixtures, walkways and signs. The architecture of buildings to be built within the waterfront should reflect a common theme for the waterfront.

h) docking facilities for transient pleasure boats, display ships and tour boats are permitted along the shoreline of the waterfront.

i) the waterfront provides a unique and desirable location for public facilities that will serve the cultural interests of both residents and tourists. Such uses may include educational or heritage displays and exhibits on matters of local importance.

B.2.2.8 In planning for a vibrant downtown/main street, the Municipality shall:

B.2.2.8.1 Encourage the preservation and restoration of heritage buildings through a Municipal Heritage Committee;

B.2.2.8.2 Consider reduced parking standards in the Zoning By-law for lands within the Downtown/Main Street Area to support transit use and active transportation;

B.2.2.8.3 Provide for cash-in-lieu of the parking requirements in the Zoning By-law;

B.2.2.8.4 Implement programs through the Community Improvement Plan provisions of the Planning Act to encourage revitalization and/or rehabilitation of downtown properties;

B.2.2.8.5 Continue to work with the Business Improvement Associations,

individual business owners, building/property owners, residents, public agencies and other interested groups to strengthen the Downtowns and Main Streets in Chatham-Kent, including:

a) active promotion of the various areas for shopping;

b) active promotion of the Downtowns and Main Streets as locations for retail and service commercial, office, hotel, tourism and recreational, cultural and entertainment uses;

c) a regular program of restoration, maintenance and improvement of municipal services including streetscape improvements in accordance with the Downtown and Main Streets Community Improvement Plan;

d) a program of building façade improvements in accordance with the Downtown and Main Streets Community Improvement Plan; and

e) enhanced vehicular and pedestrian access and development of bicycle access to the Downtown and Main Street Areas.

B.2.2.8.6 Consider strengthening and promoting areas with special identity through the designation of heritage conservation districts under the Ontario Heritage Act.

B.2.2.8.7 The Downtown/Main Street Area designation shall be subject to Site Plan Control.

B.2.2.9 Downtown/Main Street Area Site-Specific Policies:

B.2.2.9.1 Special Automotive Use, Ridgetown Urban Centre

For the lands identified on Schedule "E" Series – Land Use as Site Specific Policy Area B.2.2.9.1" and located at 65 Main Street West, in addition to those uses permitted in this Official Plan, the following uses shall be specifically permitted:

a) an automobile sales and service establishment;

b) the storage of school buses;

c) an automobile body shop;

d) a car wash; and

e) outdoor storage and the storage and sale of fuel incidental to the uses noted in a) to d) above.

Notwithstanding the uses permitted in this Official Plan, the following uses shall specifically not be permitted:

a) outdoor storage of wrecked or damaged vehicles;

b) any manufacturing plant;

c) a truck terminal;

d) warehousing; and

e) a bulk fuel storage and/or sales establishment.

B.2.2.9.2 Special Commercial Use, Chatham Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.2.9.2" and located on the west side of William Street North, also known as the former Chatham Armouries property, the following policies apply in addition to the other policies of this Plan:

a) Commercial use of the property will be limited as more clearly defined by the site-specific zoning of the subject property;

b) Notwithstanding item a), the proposed permitted uses in the amending by-law and any additional uses proposed through future amendment must be considered under the following circumstances:

i) sufficient parking for the proposed use or combination of uses can be secured off-site within 152 m (500 ft.) of the subject property;

ii) lands utilized for off-site parking must be registered in the same ownership as the subject property;

iii) any single use or combination of uses must be complementary to and in keeping with the overall concepts outlined in the Tecumseh Park Master Plan;

iv) the uses of the subject property should be open to the general public and maintain an ongoing association with Tecumseh Park and its overall function in the community.

B.2.2.9.3 Craft Brewery / Cidery Use, Chatham Urban Centre

For the lands identified on Schedule "E2", Community of Chatham, Series – Land Use (Primary Urban Centre) as "Site Specific Policy Area B.2.2.9.3" and located at the northeast corner of the King Street East

and Adelaide Street South intersection, the following policy will apply in addition to the other policies of this plan:

a) A craft brewery / cidery and accessory / ancillary uses, as defined in the implementing zoning by-law, will be additionally permitted uses.

B.2.3 RESIDENTIAL AREA POLICIES

B.2.3.1 ***The Residential Area for the Primary Urban Centres shall be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.3.2 ***The Residential Area is intended for a range of low- and medium-density residential development, and a limited amount of high-density residential development, which shall be developed on full municipal services and in accordance with the Housing policies contained in Section 2.3.4.***

B.2.3.3 ***Non-residential uses that are complementary to and serve the everyday needs of residential neighbourhoods such as churches, elementary schools, neighbourhood parks/parkettes, day care centres and neighbourhood commercial uses shall also be permitted, subject to the provisions of the Zoning By-law. Home-based businesses shall also be permitted, subject to the policies of Section B.2.3.7 below and the Zoning By-law.***

B.2.3.4 ***Low-density residential development shall:***

B.2.3.4.1 ***Be developed to a density up to a maximum of 25 units per net residential hectare on full municipal services;***

B.2.3.4.2 ***Be developed in accordance with the lot creation policies in this Official Plan;***

B.2.3.4.3 ***Have a street and block pattern that is conducive to balancing the needs of automobiles, transit, cycling and pedestrians;***

B.2.3.4.4 ***Incorporate street trees in the front yards.***

B.2.3.5 ***Medium-density residential development shall:***

B.2.3.5.1 ***Be developed to a density up to a maximum of 75 units per net residential hectare on full municipal services.***

B.2.3.5.2 ***Be developed in accordance with the lot creation policies of this Official Plan.***

B.2.3.5.3 ***Have a street and/or block pattern that is conducive to balancing the needs of automobiles, cycling and pedestrians;***

B.2.3.5.4 ***Provide appropriate pedestrian access;***

B.2.3.5.5 ***Incorporate street trees in the front yards;***

B.2.3.5.6 ***Be located on a collector, arterial or local road, or within the Downtown/Main Street Area;***

B.2.3.5.7 ***Be subject to Site Plan Control.***

B.2.3.6 High-density residential development shall:

B.2.3.6.1 Be developed to a density up to a maximum of 150 units per net residential hectare on full municipal services;

B.2.3.6.2 Be located on a collector or arterial road, or within the Downtown/Main Street Area;

B.2.3.6.3 Be located in reasonable proximity to community services, such as schools or churches and shopping;

B.2.3.6.4 Be designed to minimize the impact of shadows on adjacent low and medium-density development;

B.2.3.6.5 Be permitted to contain a small-scale convenience-retail commercial use on the first floor that fronts onto the street;

B.2.3.6.6 Have parking areas that are adequately screened;

B.2.3.6.7 Contain a high level of landscaping including, but not limited to, shrubs, trees, paving stones and decorative fencing;

B.2.3.6.8 Have driveway accesses, which are located on a collector or local road;

B.2.3.6.9 Incorporate amenities, such as onsite recreation facilities, for residents;

B.2.3.6.10 Be subject to Site Plan Control.

B.2.3.7 A Neighbourhood Commercial Centre shall be permitted in the Residential Area, based on the following considerations:

B.2.3.7.1 Except where specifically permitted in the Zoning By-law, the neighbourhood centre shall contain no more than 16,000 sq. ft. of gross leasable floor area, and an individual unit shall not exceed 5,000 sq. ft. of gross leasable area.

B.2.3.7.2 The permitted convenience retail and service commercial uses shall serve the day-to-day needs of the residents in the surrounding residential area. These uses shall include variety stores, business and professional offices, personal services, financial institutions, doctors' offices/medical clinics and restaurants, as more specifically defined in the Zoning By-law.

B.2.3.7.3 Applications to amend the implementing Zoning By-law to permit a Neighbourhood Commercial Centre may be permitted in accordance with the following:

a) the site shall have direct access to an arterial or collector road, preferably at an intersection;

b) the location shall minimize the impact of traffic, noise, signs and lighting on adjacent residential areas;

c) the site shall be adequately sized to provide for on-site parking, loading and all other required facilities;

d) sufficient on-site landscaping, screening and buffering shall be provided to preserve the amenities and appearance of the adjacent residential areas.

B.2.3.7.4 A convenience-commercial use in a high-density residential building shall not exceed 1,000 sq. ft. of gross leasable floor area.

B.2.3.7.5 Residential units may be permitted on the second storey of a Neighbourhood Commercial Centre.

B.2.3.7.6 Neighbourhood Commercial uses shall be subject to Site Plan Control.

B.2.3.8 Home-based businesses in the Residential Area shall be permitted based on:

B.2.3.8.1 The business use being clearly secondary to the residential use.

B.2.3.8.2 The business use comprising professional services, personal services, bed and breakfast or domestic arts uses.

B.2.3.8.3 The activities of the business being conducted entirely within the residence or garage.

B.2.3.8.4 There being no outdoor storage of goods, materials or products.

B.2.3.8.5 The business being able to accommodate onsite parking.

B.2.3.8.6 The size, scale or nature of the business being appropriate for the Residential Area.

B.2.3.8.7 Home-based businesses are potentially subject to licensing under the provisions of the Municipal Act to ensure compliance with the Zoning By-law, to control hours of operation, and to ensure minimal signage.

B.2.3.9 A group home shall be a permitted use in the Residential Area as more specifically defined and regulated in the Zoning By-law. It shall not be a home-based business. Group homes that play a role in criminal rehabilitation will require an amendment to the Official Plan and the Zoning By-law.

B.2.3.10 Residential intensification, including accessory residential dwelling units, shall be permitted in low-density residential areas in accordance with the policies of Sections 2.3.4.2.4, 2.3.4.2.5 and 2.3.4.2.18.

B.2.3.11 The conversion of existing non-residential buildings to residential within the Residential Area shall be encouraged, provided that it conforms with policies B.2.3.10.3 to B.2.3.10.5 above.

B.2.3.12 Non-residential uses, except for parks and open space, shall:

B.2.3.12.1 Have frontage on a collector or arterial road;

B.2.3.12.2 Where practical, have parking areas located to the side or rear of the building;

B.2.3.12.3 Incorporate landscaping features to screen parking areas; and

B.2.3.12.4 Be restricted in size, as specified in the Zoning By-law.

B.2.3.13 Residential Site-Specific Policies, Blenheim Urban Centre:

B.2.3.13.1 For the lands identified On Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.3.13.1" and located east of Chatham Street, between Story Street and Cathcart Street, the following policies shall also apply:

a) New residential development shall be permitted only upon relocation or cessation of adjacent commercial and industrial uses located within the area designated as Residential, or upon adequate abatement of their off-site impacts.

B.2.3.14 Residential Site-Specific Policies, Ridgetown Urban Centre:

B.2.3.14.1 For lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.3.14.1" and located on the northerly side of Tecumseh Street, east of Victoria Avenue, the following policies shall also apply:

a) notwithstanding the locational policies in Sections B.2.3.5.6 and B.2.3.6.2, medium- or high-density residential uses shall be permitted.

B.2.3.15 Existing Use Limitation, Ridgetown Urban Centre

B.2.3.15.1 For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.3.15.1" and located at 112 Main Street West, notwithstanding the policies of this Official Plan, only the existing use shall be permitted and a land-use change shall require an Official Plan Amendment.

B.2.3.16 Residential Site-Specific Policies, Dresden Urban Centre:

B.2.3.16.1 Special provisions for the property located at 1 Camden Street, Lots 2 to 6 and Pt. Lot 1, 24R-965, Pt. 1 Exc. 24R-1247, Pts. 2, 3 & 4, notwithstanding, or in addition to, as the text implies the policies of this Plan, the following policies will apply to the land known as 1 Camden Street:

a) lot creation shall be by plan of subdivision;

b) a plan of subdivision shall require that a 66 ft. wide road allowance reserve be included for the westerly extension of Camden Street;

c) development on the subject lands shall not occur until such time as the Municipality has upgraded the stormwater management system for the northwest quadrant area of Dresden.

B.2.3.16.2 For the lands identified on Schedule "E3" – Land Use as "Site Specific Policy Area B.2.3.16.2 and located at 620 Cross Street, Lot 69 and Part of Lot 70, Plan 133, in the Community of Dresden notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) A Hotel will also be permitted as a main use. A Hotel use shall be implemented by a Zoning By-law Amendment.

b) A high-density residential development is permitted on a local street.

B.2.3.17 Special Medium-Density Residential Site-Specific Policies, Chatham Urban Centre:

B.2.3.17.1 For the lands identified on Schedule "E" series – Land Use as "Site Specific Policy Area B.2.3.17.1" and located at the intersection of Tecumseh Road and Robertson Avenue, the following policies apply, in addition to the other policies of this Plan:

a) notwithstanding Policy B.2.3.5.6, the permitted use shall be a two-storey, 27-unit apartment building for seniors and physically challenged adults;

b) the implementing zoning by-law will:

i) provide minimum setback requirements for the building, parking area and garbage enclosure from neighbouring dwellings in accordance with the conceptual site plan approved by Council

ii) apply two Holding Symbols as follows:

- ***the first Holding Symbol will permit existing uses only, and can only be removed once the road closing procedure is complete, a landscape plan has been approved by Council; a lighting plan has been approved by Council.***

- ***the second Holding Symbol will permit a 27-unit, two storey apartment building owned by the Municipality of Chatham-Kent for seniors and physically challenged adults, and it can only be removed once a site-plan agreement and all necessary easements have been registered on title.***

c) the conceptual site plan, approved by Council, to be incorporated in the Request for Proposal (RFP) process shall do the following:

i) maximize the separation distance between the proposed apartment building and adjacent dwellings;

ii) provide for landscaping between the proposed apartment building and the adjacent dwellings, designed to optimize privacy for the dwellings;

iii) provide for consultation on the landscape plan in (ii) with the neighbouring residents, prior to final approval by Council;

iv) set performance standards at the property lines shared with adjacent dwellings for exterior lighting to be incorporated into a lighting plan approved by Council;

v) prohibit fenestration in dwelling unit rooms on building end walls facing adjacent dwellings;

vi) for greater clarity, the prohibition on fenestration in v) does not include stairwells and exit doors.

B.2.4 EMPLOYMENT AREA POLICIES

B.2.4.1 ***The Employment Area in the Primary Urban Centres shall be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.4.2 ***The Employment Area is intended for a range of industrial and secondary commercial land uses which shall be developed on full municipal services.***

B.2.4.3 ***Permitted industrial uses in the Employment Area shall include office, research facilities, printing, processing, manufacturing, assembling, warehousing, and shipping uses, as more specifically defined in the Zoning By-law. A limited amount of ancillary retail to the main permitted industrial use shall also be permitted.***

B.2.4.3.1 ***Cannabis production will be a permitted use in accordance with Health Canada regulations and in conformity with the policies of Section 2.7 of this Plan.***

B.2.4.4 ***Permitted secondary commercial uses in the Employment Area shall include restaurants, financial institutions, service commercial uses, automobile-oriented uses such as vehicle sales and repair, service and gas bars with convenience retail, commercial recreational facilities, hotels, motels, conference facilities, meeting/banquet facilities, entertainment uses, public and private clubs, and police, fire or ambulance facilities, as more specifically defined in the Zoning By-law.***

B.2.4.5 ***Proposals for retail commercial uses shall require a site-specific amendment to the Official Plan to redesignate the subject lands from Employment Area to the appropriate land-use category.***

B.2.4.6 ***Except where specifically permitted in the Zoning By-law, when an applicant is proposing retail commercial uses that are in excess of the warranted space identified in the Retail Commercial Systems Study, as updated, a Market Demand and Directional Impact Analysis will be prepared to demonstrate to the satisfaction of the Municipality that the proposed retail uses will not have an unacceptable adverse impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial system hierarchy. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to a peer review carried out by the Municipality at the expense of the applicant.***

B.2.4.7 ***A Market Demand and Directional Impact Analysis shall not be required for applications for development approval of retail commercial uses totalling less than 20,000 sq. ft. of gross leasable area.***

B.2.4.8 ***Permitted commercial uses shall be subject to the following criteria:***

B.2.4.8.1 They shall be located either directly on or have access to an arterial road;

B.2.4.8.2 The proposed uses shall be compatible with existing and planned industrial uses in the Employment Area;

B.2.4.8.3 Adequate off-street parking shall be provided;

B.2.4.8.4 The depth and frontage of the lots shall be sufficient to allow for parking and turning movements;

B.2.4.8.5 Traffic access shall be properly designed and controlled to maintain public safety and convenience;

B.2.4.8.6 Vehicular access points shall be limited, and those that are continuous across the lot frontage shall not be permitted;

B.2.4.8.7 Access points shall be coordinated and common access points among uses shall be encouraged;

B.2.4.8.8 Access will be either to an arterial road or a collector road that intersects that road;

B.2.4.8.9 Adequate buffer planting, landscaping, screening and separation distances shall be provided between uses and throughout the site;

B.2.4.8.10 The landscaping and buffering may include separation distances, trees and shrub plantings and the use of earthen berms.

B.2.4.9 Adequate parking for cars and trucks, and adequate loading areas for trucks and garbage vehicles shall be provided.

B.2.4.10 Access to a new development shall be provided from an arterial, collector or industrial local road. Multiple driveways shall be discouraged unless separate driveways for cars and trucks are warranted for safety reasons.

B.2.4.11 Where new development is proposed on lands designated Employment Area that are located adjacent to a Residential Area, the following may be required:

B.2.4.11.1 Additional buffering, including, but not limited to, increased yard requirements, treed landscaping and fencing;

B.2.4.11.2 The orientation of facilities for the loading and unloading of vehicles away from the Residential Area;

B.2.4.11.3 Outdoor storage of any goods or raw materials shall be oriented away from the Residential Area.

B.2.4.11.4 Illumination will be directed, focussed, shielded and/or screened to

prevent light pollution in the Residential Area from the illumination of:

a) any parking area; and

b) gas stations and other automobile-type uses.

B.2.4.11.5 The orientation of outdoor public address or drive-through restaurant speaker systems away from the Residential Area.

B.2.4.12 All development or redevelopment in the Employment Area shall be subject to Site Plan Control.

B.2.4.13 Employment Area Site-Specific Policies:

B.2.4.13.1 Tatro Site, Chatham Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.4.13.1" and located on the northwest quadrant of Richmond Street and Irwin Street, the following policies shall also apply:

a) In addition to the permitted uses in Section B.2.4, retail uses shall also be permitted in the implementing Zoning By-law subject to the following restrictions:

i) department stores or supermarkets greater than 40,000 sq. ft. shall not be permitted until a Market Demand and Directional Impact Analysis has been prepared;

ii) the Market Demand and Directional Impact Analysis must demonstrate to the satisfaction of the Municipality that the proposed department store and supermarket uses will not have an unacceptable adverse impact on the planned function of the upper level of the Chatham-Kent retail commercial hierarchy;

iii) the analysis shall be subject to an independent peer review at the expense of the applicant;

iv) once the Market Demand and Directional Impact Analysis has been accepted by the Municipality of Chatham-Kent, the proposed retail uses will be permitted through an amendment to the implementing Zoning By-law.

b) Further subdivision of the subject lands through a plan of subdivision or consent is permitted subject to the provisions of this Official Plan and the acceptance of a traffic impact and internal circulation study by the Municipality.

B.2.4.13.2 Residential Quarters for Motel Staff, Ridgetown Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.4.13.2" and located at 117 Erie Street South, the following policies shall also apply:

a) an existing dwelling may be used as a separate accessory residential quarter for the owners or staff of a motel business.

b) the commercial building must be sufficiently separated from the dwelling to allow side yard space for each building in the event that the lot is severed to separate the residential and commercial uses.

B.2.4.13.3 Existing Use Limitation, Wallaceburg Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.4.13.3" and known as the Old Glass Road residential area, the following policies shall also apply:

a) in this basically residential area situated between Forhan Street and the Sydenham River between Garnet Street (if extended to the east) and Libby Street, it is anticipated that the enclave of houses will eventually be eliminated to be replaced by industrial development. It is not intended that the area will be zoned for industrial use immediately by the implementing Zoning By-law. This area, or any part or parts of it may be zoned in such a manner that the continuation of existing uses may be allowed, pending rezoning for uses in accordance with the Employment Area designation of this Plan, when the Municipality is satisfied that the resulting development will be desirable.

b) the intention of such interim zoning shall be to permit limited infilling, the extension, repair or renovation of existing buildings within reasonable limits, and the erection of ancillary buildings, but not to permit rebuilding or construction on such a scale that the possibility of ultimate industrial use is defeated.

c) when rezoning does occur, it shall be applied to groups of lots in such a manner that interspersed industrial and residential uses may be minimized.

B.2.4.13.4 Sobey's/No Frills Area, Blenheim Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.4.13.4" and located on the westerly side of Communication Road between Allison Line and Story Street, the following policies shall also apply:

a) Stormwater Management Pond

A pond facility shall be provided for the collection and holding of stormwater flows from certain lands adjoining the Wetherford Drain. Its purpose is to receive stormwater from nearby intensive non-farm development and regulate its discharge into that drain.

Design parameters of the pond will be determined by a Stormwater Management Study as part of a Secondary Plan process for the area. Developments contributing flows to the pond will be required to pay for its costs in amounts to be determined by Council. Such charges will be recovered from applicants by way of conditions attached to the approval of plans of subdivision, consents or site plans, as appropriate.

b) Access Points

Future vehicular access to Communication Road and Allison Line is planned. Such access will usually take the form of a new road, but might be limited to a driveway entrance or exit. Functionally, the access may serve one or more of the following purposes:

- ***i) to facilitate road planning in areas of possible future urban expansion, in order to provide for adequate traffic circulation to and from that area;***
- ***ii) in areas where infill development can be expected, to ensure that access is preserved to potentially developable rear land;***
- ***iii) where there is an existing road or driveway on the other side of the road, to ensure a specific alignment of a new road or driveway directly opposite, for traffic control or intersection spacing purposes.***

The generalized location of the Allison Line access is westerly of the Wetherford Drain. The exact location of this new access may vary somewhat from this generalized location, but this will be a useful guide, for example, in preparing Secondary Plans. The location of the Communication Road access should be

provided directly opposite Hyland Drive.

Regard should be given to such access points when development proposals are under consideration and, where necessary, they may take the form of 0.3 m. reserve strips conveyed to the Municipality, "no build" areas established in an implementing Zoning By-law and new roads in a plan of subdivision, or they may be required as a condition of site plan approval, according to the type of application under consideration.

B.2.4.13.5 Missant Investments Site

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.4.13.5" and located on the south side of Mill Street west, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) The maximum gross floor area for a single retail facility or combination of retail facilities shall be less than 20,000 sq. ft.;

b) The minimum gross floor area for a single retail facility shall be 5,000 sq. ft.;

c) Highway Commercial uses permitted in the Employment Area designation and as outlined more specifically in the amending zoning by-law shall be permitted on the subject property;

d) Lot creation on the subject parcel shall be by plan of subdivision only, including a detailed development plan of all proposed and future uses;

e) Prior to any development taking place on the property, provisions shall be made for the future installation and alignment of a secondary road to service the subject property and lands to the west. The location and design of the road shall be executed in consultation with the property owners and to the satisfaction of the Municipality;

f) Expansion beyond 20,000 sq. ft. shall require further amendment to the Official Plan, and a Comprehensive Market Demand and Directional Impact Analysis shall be prepared for the intended uses, demonstrating that the proposed uses will not have a deleterious impact on the planned function of the upper level of the Chatham-Kent regional commercial system hierarchy. The analysis will be subject to an independent peer review carried out at the expense of the applicant.

B.2.4.13.6 1409680 Ontario Inc. (DeVito) Site

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.4.13.6" and located on the northwest corner of the intersection of James Street and Erie Street North, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) The site is designated to permit a mini-storage warehouse. However, despite the list of normally permitted highway commercial uses, uses that in Council's opinion would exhibit characteristics incompatible with residential neighbourhoods and cannot be mitigated with site-plan control, will not be permitted as-of-right in the implementing zoning by-law;

b) Open storage is permitted on the site, but must be accessory to the permitted use and located in accordance with the site-specific zoning requirements of the implementing by-law.

B.2.4.13.7 Bloomfield Road/Riverview Line

For the lands identified on Schedule "A" Series – Land Use as "Site Specific Special Policy Area B.2.4.13.7" and located on the south side of Riverview Line and west side of Bloomfield Road, , notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) A large-scale greenhouse and including accessory and ancillary uses will also be a permitted use.

B.2.5 POWER CENTRE COMMERCIAL AREA POLICIES

B.2.5.1 ***The Power Centre Commercial Area in the Chatham Urban Centre will be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.5.2 ***A "power centre" will be defined as a large-scale retail centre containing new format retail big box uses with regional drawing power beyond Chatham-Kent and smaller retail uses. It will be situated on a prominent arterial road location in an Urban Centre with excellent visibility and exposure to passing traffic. It will comprise a collection of detached, free-standing buildings and structures on a large site with controlled access/circulation and ample shared parking onsite. A power centre may include a combination of single-use and multi-use buildings.***

B.2.5.3 ***The Power Centre Commercial Areas will work in tandem with the Chatham Downtown/Main Street Area and the Shopping Centre Commercial Areas at the upper end of the Chatham-Kent commercial hierarchy to complement and support the concept of a strong and viable Downtown/Main Street and to maintain the economic viability and facilitate the continued intensification and revitalization of the Downtown/Main Street Area and existing commercial centres, while at the same time making provision, where warranted, for new commercial opportunities in all designated Commercial Areas to better serve the retail needs of residents in the Chatham-Kent trade area.***

B.2.5.4 ***Permitted uses in the Power Centre Commercial Area include retail commercial uses such as department store type merchandise facilities, home and auto supply stores, office supply and computer stores, home improvement-related merchandise stores, speciality food stores, supermarkets, service commercial uses such as banks, restaurants and gas bars with or without accessory convenience retail, entertainment uses excluding a cinema, office uses and other services, as more specifically defined in the Zoning By-law.***

B.2.5.5 ***Except where specifically permitted in the Zoning By-law, a proposal to include in an existing and/or approved power centre a department store, a supermarket or grocery store, a home and auto supply store, a liquor outlet or a cinema complex will require a site-specific amendment to the Official Plan. That application will be supported by a Market Demand and Directional Impact Analysis demonstrating to the satisfaction of the Municipality that the proposed retail uses will not have an unacceptable adverse impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial hierarchy. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to an independent peer review by the Municipality at the expense of the applicant.***

B.2.5.6 ***Except where specifically permitted in the Zoning By-law, the minimum***

gross floor area for a single retail facility will be 5,000 sq. ft.

B.2.5.7 The design of a power centre will reflect the prominent location of that development in an Urban Centre, including landscaping and integrated signage.

B.2.5.8 An application for the establishment of a new power centre will only be permitted after a detailed evaluation of the proposed development based on the submission and an independent peer review of the following supporting documents are carried out at the expense of the applicant:

B.2.5.8.1 Traffic Impact Report addressing:

a) the traffic impacts of the proposed development on the roads and intersections in the vicinity of the site;

b) the assessment of existing conditions in the vicinity of the site based on a comprehensive set of existing traffic counts;

c) the development and assessment of future background traffic;

d) the development of site-generated traffic;

e) the development and assessment of total traffic;

f) identification of the infrastructure improvements required to accommodate the total traffic volumes;

g) the adequacy of onsite circulation and the parking provided to accommodate the proposed uses, vehicle and pedestrian/bicycle movements and an assessment of the potential of the site design to affect the operation of adjacent streets.

B.2.5.8.2 Servicing Impact Report addressing:

a) sanitary sewage servicing of the site;

b) water servicing of the site;

c) conceptual stormwater management plan for the site.

B.2.5.8.3 Planning Impact Report addressing:

a) type and size/scale of proposed land uses;

b) floor space by retail commercial category;

c) conformity of the proposed development to the Official Plan;

d) compliance of the proposed development with Zoning By-law;

e) demonstration of why proposed uses cannot be located in the Downtown/Main Street Area or other existing commercial centres;

f) compatibility of the proposed development with the existing and planned land uses in the surrounding area;

g) appropriateness or suitability of the proposed location and site for this development.

B.2.5.8.4 Phase 1 Environmental Audit prepared in accordance with the prevailing protocols and guidelines of the Ministry of the Environment.

B.2.5.9 A Power Centre Commercial Area will only be established and/or expanded by site-specific amendment to this Plan.

B.2.5.10 Except where specifically permitted in the Zoning By-law, when an applicant is proposing retail commercial uses in excess of the warranted space identified in the Retail Commercial Systems Study, as updated, a Market Demand and Directional Impact Analysis demonstrating to the satisfaction of the Municipality that the proposed retail uses will not have an unacceptable adverse impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial hierarchy will be required. The analysis will be subject to an independent peer review at the expense of the applicant.

B.2.5.11 Notwithstanding Sections B.2.5.5 and B.2.5.10, a Market Demand and Directional Impact Analysis will not be required for applications for development approval of retail commercial uses totalling less than 20,000 sq. ft. of gross leasable area.

B.2.5.12 The Retail Commercial Systems Study will be updated every five years in conjunction with the five-year review of the Official Plan, or sooner if deemed appropriate by the Municipality.

B.2.5.13 Onsite parking and access/circulation facilities will be shared by the uses on a power centre site.

B.2.5.14 Adequate parking for cars and trucks and adequate loading areas for trucks and garbage vehicles will be provided in paved, properly demarcated and illuminated parking areas.

B.2.5.15 Access to a power centre site will be controlled and designed to minimize the danger to vehicular and pedestrian traffic. Multiple driveways will be discouraged, unless separate driveways for cars and trucks are warranted for safety reasons.

B.2.5.16 A power centre will front onto an arterial road.

B.2.5.17 All development in the Power Centre Commercial Area will be subject to Site Plan Control.

B.2.5.18 A site-plan agreement will be required as a condition of Site Plan Approval.

B.2.5.19 Power Centre Commercial Site Specific Policies

B.2.5.19.1 Canril Site, Chatham Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.5.19.1" and located at the southwest corner of Pioneer Line and St. Clair Street, notwithstanding, or in addition to, the other policies of this Official Plan, the permitted uses on the Canril Power Centre site will be limited to the following:

a) a home improvement-related merchandise centre at a maximum of 95,000 sq. ft. gross floor area, excluding a 20,000 sq. ft. exterior garden centre;

b) specialty department store type merchandise outlets totalling a maximum of 40,000 sq. ft. gross floor area;

c) non-department store type merchandise outlets, restaurant and services totalling a maximum of 30,000 sq. ft. gross floor area;

d) a service station or gas bar at a maximum of 5,000 sq. ft. gross floor area.

A Market Demand and Directional Impact Study will be required to support any expansion beyond the space limits noted in B.2.5.19.1 and the study must demonstrate to the satisfaction of the Municipality that the proposed uses will not have an unacceptable adverse impact on the planned function of the upper level of the Chatham-Kent regional commercial system hierarchy. The analysis will be subject to an independent peer review carried out by the Municipality at the expense of the applicant.

A Secondary Plan for those lands situated on the west side of St. Clair Street between the lands designated Power Centre Commercial on the Canril site on the north, and boundary of the Chatham Urban Centre on the south, will be required prior to any enlargement of the Power Centre Commercial designation or any proposal for urban development on those lands.

B.2.5.19.2 North Maple Mall, Chatham Urban Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.5.19.2" and located at 801 St. Clair Street, the following policies apply, in addition to the other policies of this Plan:

a) the maximum gross floor area permitted without need for a site-specific amendment to this Official Plan will be 470,000 sq. ft.;

b) notwithstanding Section B.2.5.6, no minimum gross floor area for a single retail facility will apply to this site; subject to the allowable maximum total site gross floor area of 470,000 sq. ft.

c) notwithstanding the policies of this Plan, a Market Demand and Directional Impact Study will not be required to implement the expansion to 470,000 sq. ft., noted above.

d) Notwithstanding Sections B.2.5.4, B.2.5.5 and B.2.5.10, the full range of retail and service commercial uses, entertainment and office uses will be permitted, as specified in the implementing Zoning By-law.

B.2.5.19.3 Northwest St. Clair Chatham Power Centre

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.5.19.3" and located on the west side of St. Clair Street, immediately south of the Canril Site Power Centre and north of the Martin Drain, the following policies apply in addition to the other policies of this Plan:

a) Northwest St. Clair Secondary Plan

i) the Chatham Power Centre is subject to the policies of the Northwest St. Clair Secondary Plan found in Section B.2.13.1 f)

b) Permitted Uses

i) 12,300 sq. m (132,700 sq. ft.) Home Improvement centre and hardware, material and garden store consisting of the following:

- ***7,900 sq. m (85,000 sq. ft.) home improvement centre;***
- ***2,250 sq. m (24,200 sq. ft.) covered lumber yard; and***
- ***2,185 sq. m (23,500 sq. ft.) garden centre.***

ii) 2,416 sq. m (26,000 sq. ft.) 1,300 seat cinema

iii) 1,583 sq. m (17,000 sq. ft.) retail store

iv) 1076 sq. m (11,582 sq. ft.) restaurant

v) for greater clarity, a general merchandise and home and auto supply store, including tires, batteries and auto accessories, are not permitted uses.

c) Market Demand and Directional Impact Study

A Market Demand and Directional Impact Study in accordance with Section B.2.5.10 will be required to support any expansion beyond the space limits noted in b) i) and ii) above.

B.2.6 SHOPPING CENTRE COMMERCIAL AREA POLICIES

B.2.6.1 ***The Shopping Centre Commercial Area in the Chatham Urban Centre will be designated on Schedules E Series – Land Use to this Official Plan.***

B.2.6.2 ***A "shopping centre" will be defined as a traditional enclosed or unenclosed retail centre or strip plaza on full municipal services situated on a prominent arterial road location in an Urban Centre with excellent visibility and exposure to passing traffic. A Shopping Centre Commercial Area will include a range of commercial uses that serve the needs of Chatham-Kent residents, and will have controlled access/circulation and ample shared parking onsite.***

B.2.6.3 ***The Shopping Centre Commercial Area will work in tandem with the Chatham Downtown/Main Street Area and the Power Centre Commercial Areas at the upper end of the Chatham-Kent commercial hierarchy to complement and support the concept of a strong and viable Downtown/Main Street and, to maintain the economic viability and facilitate the continued intensification and revitalization of the Downtown/Main Street Area and existing commercial centres, while at the same time making provision, where warranted, for new commercial opportunities in both an enclosed shopping centre format and open-air, non-shopping centre/retail box format facilities to better serve the retail needs of residents in the Chatham-Kent trade area.***

B.2.6.4 ***Permitted uses in the Shopping Centre Commercial Area will include retail commercial uses such as department store type merchandise facilities, specialty department store type merchandise facilities, home and auto supply stores, office supply and computer stores, home improvement-related merchandise stores, specialty food stores, supermarkets, service commercial uses such as banks and restaurants, gas bars with or without convenience retail, entertainment uses excluding a cinema, office uses and other services, as more specifically defined in the Zoning By-law.***

B.2.6.5 ***Except where specifically permitted in the Zoning By-law, a proposal to include in an existing and/or approved shopping centre a department store, a supermarket or grocery store, a home and auto supply store, a liquor outlet or a cinema complex will require a site-specific amendment to the Official Plan. That application will be supported by a Market Demand and Directional Impact Analysis demonstrating to the satisfaction of the Municipality that the proposed retail uses will not have an unacceptable adverse impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial hierarchy. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to an independent peer review by the Municipality at the expense of the applicant.***

B.2.6.6 ***The design of a new shopping centre will reflect the prominent location of that development in an Urban Centre, including extensive landscaping and***

integrated signage.

B.2.6.7 An application for the establishment of a new shopping centre will only be permitted after a detailed evaluation of the proposed development based on the submission and an independent peer review of the following supporting documents, carried out at the expense of the applicant:

B.2.6.7.1 Traffic Impact Report addressing:

a) the traffic impacts of the proposed development on the roads and intersections in the vicinity of the site;

b) the assessment of existing conditions in the vicinity of the site based on a comprehensive set of existing traffic counts;

c) the development and assessment of future background traffic;

d) the development of site-generated traffic;

e) the development and assessment of total traffic;

f) identification of the infrastructure improvements required to accommodate the total traffic volumes;

g) the adequacy of onsite circulation and the parking provided to accommodate the proposed uses and vehicle and pedestrian/bicycle movements, and an assessment of the potential of the site design to affect the operation of adjacent streets.

B.2.6.7.2 Servicing Impact Report addressing:

a) sanitary sewage servicing of the site;

b) water servicing of the site;

c) conceptual stormwater management plan for the site.

B.2.6.7.3 Planning Impact Report addressing:

a) type and size/scale of proposed land uses;

b) floor space by retail commercial category;

c) conformity of the proposed development to the Official Plan;

d) compliance of the proposed development with the Zoning By-law;

e) demonstration of why proposed uses cannot be located in the Downtown/Main Street Area or other existing commercial centres;

f) compatibility of the proposed development with the existing and planned land uses in the surrounding area;

g) appropriateness or suitability of the proposed location and site for this development.

B.2.6.7.4 Phase I Environmental Audit prepared in accordance with the prevailing protocols and guidelines of the Ministry of the Environment.

B.2.6.8 A Shopping Centre Commercial Area will only be established and/or expanded by site-specific amendment to this Plan.

B.2.6.9 Except where specifically permitted in the Zoning By-law, when an applicant is proposing retail commercial uses in excess of the warranted space identified in the Retail Commercial Systems Study, as updated, the applicant will be required to submit a Market Demand and Directional Impact Analysis demonstrating to the satisfaction of the Municipality that the proposed retail uses will not have an unacceptable adverse impact on the planned function of existing commercial designations within the Chatham-Kent retail commercial hierarchy will be required. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to an independent peer review at the expense of the applicant.

B.2.6.10 Notwithstanding Sections B2.6.5 and B.2.6.9, a Market Demand and Directional Impact Analysis will not be required for applications for development approval of retail commercial uses totalling less than 20,000 sq. ft. of gross leasable area.

B.2.6.11 The Retail Commercial Systems Study will be updated every five years in conjunction with the five-year review of the Official Plan, or sooner if deemed appropriate by the Municipality.

B.2.6.12 Adequate parking for cars and trucks and adequate loading areas for trucks and garbage vehicles will be provided in paved, properly demarcated and illuminated parking areas.

B.2.6.13 Access to a shopping centre site will be controlled and designed to minimize the danger to vehicular and pedestrian traffic. Multiple driveways will be discouraged, unless separate driveways for cars and trucks are warranted for safety reasons.

B.2.6.14 A shopping centre will front onto an arterial road.

B.2.6.15 Where new development is proposed on lands designated Shopping Centre Commercial Area which are adjacent to a Residential Area, the following will be required:

B.2.6.15.1 Additional buffering, including but not limited to, increased yard requirements, treed landscaping and fencing.

B.2.6.15.2 The orientation of facilities for the loading and unloading of vehicles away from the Residential Area.

B.2.6.15.3 Outdoor storage of any goods or raw materials will be oriented away from the Residential Area.

B.2.6.15.4 Illumination will be directed, focused, shielded and/or screened to prevent light pollution of the Residential Area from the illumination of:

a) any parking area; and,

b) gas stations and other automobile-type uses, if the use is permitted in the Zoning By-law.

B.2.6.15.5 The orientation of outdoor public address or drive-through restaurant speaker systems away from the Residential Area.

B.2.6.16 A proposal to include in a Shopping Centre a department store, a supermarket or grocery store, a home and auto supply store, liquor outlets or a cinema complex will require a site-specific amendment to the Official Plan. That application will be supported by a Market Demand and Directional Impact Analysis as required by B.2.6.9.

B.2.6.17 All development in the Shopping Centre Commercial Area will be subject to Site Plan Control.

B.2.6.18 A site-plan agreement will be required as a condition of site-plan approval.

B.2.6.19 Shopping Centre Commercial Area Site-Specific Policies:

B.2.6.19.1 Thames Lea Plaza, Chatham Urban Centre: for lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.6.19.1" and located on the northerly side of Grand Avenue West, and the easterly side of Keil Drive, the following policies apply, in addition to the other policies of this Plan:

a) notwithstanding Sections B.2.6.4, B.2.6.5 and B.2.6.9, the full range of retail and service commercial uses, entertainment and office uses will be permitted as specified in the implementing Zoning By-law, subject to an allowable maximum gross floor area of 315,000 sq. ft.

B.2.6.19.2 475 Grand Avenue West, Chatham Urban Centre

For lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.6.19.2" and located on the northerly side of Grand Avenue West, the following policies apply, in addition to the other policies of this Plan:

a) gross floor area requirements:

i) maximum total gross floor area – 100,000 sq. ft.

ii) maximum total gross floor area for any one use permitted in the Zoning By-law – 50,000 sq. ft.

iii) maximum total gross floor area for a supermarket as defined in the Zoning By-law – 50,000 sq. ft.

b) that the owner/developer agree to provide a reciprocal access agreement with the property to the immediate west for joint usage of the existing signalized access located at the southwest corner of the property and to accommodate internal flow-through traffic, if deemed necessary by the Municipality, at the time the property to the immediate west is developed for commercial purposes.

B.2.7 COMMUNITY COMMERCIAL AREA

B.2.7.1 ***The Community Commercial Area in the Chatham Urban Centre will be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.7.2 ***The Community Commercial Area is intended for a range of retail and service commercial uses that serve the needs of the Urban Centre in which the facility is located. The commercial uses are contained within a traditional unenclosed strip plaza on full municipal services. The plaza will contain no more than 100,000 sq. ft. of gross leasable floor area.***

B.2.7.3 ***Permitted uses in the Community Commercial Area will include a range of convenience goods and services uses such as food stores, retail stores, restaurants, professional services, personal services and offices, and complementary uses such as a gas bar and recreational and cultural facilities, as more specifically defined in the Zoning By-law. It may contain a supermarket, but will not contain a department store or other retail uses that are more appropriately located by virtue of their trade area, locational, site area and/or building requirements in the Downtown/Main Street Area, Power Centre Commercial Area or Shopping Centre Commercial Area.***

B.2.7.4 ***Adequate parking for cars and trucks and adequate loading areas for trucks and garbage vehicles will be provided in paved, properly demarcated and illuminated parking areas.***

B.2.7.5 ***Access to a new development will be provided from an arterial or collector road. Access will be controlled and designed to minimize the danger to vehicular and pedestrian traffic. Multiple driveways will be discouraged, unless separate driveways for cars and trucks are warranted for safety reasons.***

B.2.7.6 ***The design of a new Community Commercial Area will include appropriate landscaping and integrated signage.***

B.2.7.7 ***An application for the establishment of a new Community Commercial Area will only be permitted after a detailed evaluation of the proposed development based on the submission and an independent peer review of the following supporting documents carried out at the expense of the applicant:***

B.2.7.7.1 ***Traffic Impact Report addressing:***

a) ***the traffic impacts of the proposed development on the roads and intersections in the vicinity of the site;***

b) ***the assessment of existing conditions in the vicinity of the site based on a comprehensive set of existing traffic counts;***

c) ***the development and assessment of future background traffic;***

d) the development of site-generated traffic;

e) the development and assessment of total traffic;

f) identification of the infrastructure improvements required to accommodate the total traffic volumes;

g) the adequacy of onsite circulation and the parking provided to accommodate the proposed uses, vehicle and pedestrian/bicycle movements and an assessment of the potential of the site design to affect the operation of adjacent streets.

B.2.7.7.2 Servicing Impact Report addressing:

a) sanitary sewage servicing of the site;

b) water servicing of the site;

c) conceptual stormwater management plan for the site.

B.2.7.7.3 Planning Impact Report addressing:

a) type and size/scale of proposed land uses;

b) floor space by retail commercial category;

c) conformity of the proposed development to the Official Plan;

d) compliance of the proposed development with the Zoning By-law;

e) demonstration of why proposed uses cannot be located in the Downtown/Main Street Area or other existing commercial centres;

f) compatibility of the proposed development with the existing and planned land uses in the surrounding area;

g) appropriateness or suitability of the proposed location and site for this development.

B.2.7.7.4 Phase 1 Environmental Audit prepared in accordance with the prevailing protocols and guidelines of the Ministry of the Environment.

B.2.7.8 A Community Commercial Area will only be established and/or expanded by site-specific amendment to this Plan.

B.2.7.9 Where new development is proposed on lands designated Community Commercial Area that are adjacent to a Residential Area, the following will

be required:

B.2.7.9.1 Additional buffering, including but not limited to, increased yard requirements, treed landscaping and fencing.

B.2.7.9.2 The orientation of facilities for the loading and unloading of vehicles away from the Residential Area.

B.2.7.9.3 Outdoor storage of any goods or raw materials will be oriented away from the Residential Area.

B.2.7.9.4 Illumination will be directed, focussed, shielded and/or screened to prevent light pollution of the Residential Area from the illumination of:

a) any parking area; and,

b) gas stations and other automobile-type uses, if the use is permitted in the Zoning By-law.

B.2.7.9.5 The orientation of outdoor public address or drive-through restaurant speaker systems away from the Residential Area.

B.2.7.10 Except where specifically permitted in the Zoning By-law, when an applicant is proposing retail commercial uses that may be in excess of the warranted space identified in the Retail Commercial Systems Study, as updated, a Market Demand and Directional Impact Analysis will be prepared to the satisfaction of the Municipality to demonstrate that the proposed retail uses will not have an unacceptable adverse impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial system hierarchy. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to a peer review by the Municipality carried out at the expense of the applicant.

B.2.7.11 Notwithstanding Section B.2.7.10, a Market Demand and Directional Impact Analysis will not be required for applications for development approval of retail commercial uses totalling less than 20,000 sq. ft. of gross leasable area.

B.2.7.12 All development in the Shopping Centre Commercial Area will be subject to Site Plan Control.

B.2.7.13 A site-plan agreement will be required as a condition of site-plan approval.

B.2.7.14 Community Commercial Area Site-Specific Policies:

B.2.7.14.1 277 William Street, Chatham Urban Centre

For lands identified on Schedule "E" Series – Land Use, as "Site

Specific Policy Area B.2.7.14.1" and located in the northeast corner of the intersection of Queen Street and Beatty Street, the following policies apply in addition to the other policies of this Plan:

a) Total maximum gross floor area for all uses shall be subject to justification through the submission of a peer review of a comprehensive Traffic Impact Study including existing and future uses on the Industrial-designated portion of 277 William Street;

b) The subdivision of the lands currently known as 277 William Street will not be permitted until such time as a comprehensive development plan is submitted and the conditions of clause B.2.7.14.1a) are satisfied.

B.2.8 HIGHWAY COMMERCIAL AREA

B.2.8.1 ***The Highway Commercial Area in the Chatham Urban Centre will be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.8.2 ***The Highway Commercial Area is intended for a specific range of commercial uses that cater to the needs of the travelling public, which will be developed on full municipal services.***

B.2.8.3 ***Permitted uses in the Highway Commercial Area will include restaurants, financial institutions, service commercial uses, automobile-oriented uses such as vehicle sales, service and gas bars with convenience retail, commercial recreational facilities, hotels, motels, conference facilities, meeting/banquet facilities, entertainment uses excluding a cinema, public and private clubs and police, fire or ambulance facilities, as more specifically defined in the Zoning By-law.***

B.2.8.4 ***Proposals for retail commercial uses will require a site-specific amendment to the Official Plan to redesignate the subject lands from Highway Commercial Area to the appropriate land use category.***

B.2.8.5 ***Proposals for new retail uses in a Highway Commercial Area will be encouraged to locate in the Downtown/Main Street Area, Shopping Centre Commercial Area, Power Centre Commercial Area or Community Commercial Area, as deemed appropriate.***

B.2.8.6 ***Applications for new highway commercial uses will be subject to the following policies:***

B.2.8.6.1 ***Adequate off-street parking will be provided;***

B.2.8.6.2 ***The depth and frontage of the lots will be sufficient to allow for parking and turning movements;***

B.2.8.6.3 ***Traffic access will be properly designed and controlled to maintain public safety and convenience;***

B.2.8.6.4 ***Vehicular access points will be limited and those that are continuous across the lot frontage will not be permitted;***

B.2.8.6.5 ***Common access points among uses will be encouraged;***

B.2.8.8.6 ***Adequate buffer planting, landscaping, screening and separation distances will be provided between uses and throughout the site;***

B.2.8.6.7 ***The landscaping and buffering may include separation distances, trees and shrub plantings, and the use of earthen berms; and***

B.2.8.6.8 ***The creation of parcels of land unsuitable for commercial use will not***

be permitted.

B.2.8.7 *Parking for cars and trucks and loading areas for trucks and garbage vehicles, will be provided in paved, properly demarcated and illuminated parking areas.*

B.2.8.8 *Access to new development will be provided from arterial, collector or industrial local roads.*

B.2.8.9 *Multiple driveways will be discouraged, unless separate driveways for cars and trucks are warranted for safety reasons.*

B.2.8.10 *Where new development is proposed on lands designated Highway Commercial Area that are adjacent to a Residential Area, the following will be required:*

B.2.8.10.1 *Additional buffering, including but not limited to, increased yard requirements, treed landscaping and fencing.*

B.2.8.10.2 *The orientation of facilities for the loading and unloading of vehicles away from the Residential Area.*

B.2.8.10.3 *Outdoor storage of any goods or raw materials will be away from the Residential Area.*

B.2.8.10.4 *Illumination will be directed, focused, shielded and/or screened to prevent light pollution of the Residential Area from the illumination of:*

a) any parking area; and,

b) gas stations and other automobile-type uses, if the use is permitted in the Zoning By-law.

B.2.8.10.5 *The orientation of outdoor public address or drive-through restaurant speaker systems away from the Residential Area.*

B.2.8.11 *All development in the Highway Commercial Area will be subject to Site Plan Control.*

B.2.8.12 *A site-plan agreement will be required as a condition of site-plan approval.*

B.2.8.13 *Highway Commercial Area Site-Specific Policies:*

B.2.8.13.1 *The lands identified on Schedule "E" Series – Land Use, as "Site Specific Policy Area B.2.8.13.1" and located at 57 Sandys Street, the following policies apply in addition to the other policies of this Plan:*

a) The site is designated to allow a heating and cooling contractor's business and to permanently bring to an end its use

as an automobile salvage yard. However, despite the list of normally permitted highway commercial uses, uses that in Council's opinion would exhibit characteristics incompatible with residential neighbourhoods and cannot be mitigated with site-plan control, will not be allowed as-of-right in the implementing Zoning By-law.

B.2.8.13.2 Canadian Tire Site

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Special Policy Area B.2.8.13.2" and located on the north side of Mill Street East, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) The maximum gross floor area for a single retail facility or combination of retail facilities shall be no more than 30,000 sq. ft.;

b) The minimum gross floor area for a single retail facility shall be 5,000 sq. ft., excluding retail uses which are directly accessory to and form part of the main use;

c) Expansion beyond 30,000 sq. ft. shall require further amendment to the Official Plan and a Comprehensive Market Demand and Directional Impact Analysis shall be prepared for the intended uses, demonstrating that the proposed uses will not have a deleterious impact on the planned function of the upper level of the Chatham-Kent regional commercial system hierarchy. The analysis will be subject to an independent peer review carried out at the expense of the applicant.

B.2.8.13.3 157 Grand Avenue West

For the lands identified on Schedule "E2" Series – Land Use as "Site Specific Special Policy Area B.2.8.13.3" and located on the north side of Grand Avenue West, Part of Lot 24, Concession 1, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) A multiple residential use, consisting of a maximum of four dwelling units, will also be permitted as a main use.

B.2.8.13.4 For the lands identified on Schedule "A" Series – Land Use as "Site Specific Special Policy Area 3.9.2.17.2" and located on the east side of William Street, Part of Lots 3 & 5 and Lot 4, Plan 9, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

c) A multiple residential use, consisting of a maximum of four dwelling units, will also be permitted as a main use.

B.2.8.13.5 <u>251 - 257 William Street South</u>

For the lands identified on Schedule "E2" Series – Land Use as "Site Specific Special Policy Area B.2.8.13.5" and located in the northeast corner of the intersection of William Street South and St. Patrick Street, Lots 9 & 10 and Part of Lot 8, Plan 9, in the Community of Chatham (City), notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) A multiple residential use, consisting of a maximum of five dwelling units, will also be permitted as a main use.

B.2.8.13.6 <u>586 Grand Avenue East</u>

For the lands identified on Schedule "E2" Series – Land Use as "Site Specific Special Policy Area B.2.8.13.6" and located on the south side of Grand Avenue East, east of Walker Road, Part of Lot 4, Concession 1, in the Community of Chatham (City), notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) A mixed use commercial / residential use, consisting of a maximum of six dwelling units, will also be permitted as a main use."

B.2.8.13.7 <u>1100 Richmond Street, 545 Bloomfield Road and 555 Bloomfield Road</u>

For the lands identified on Schedule "E2" Series – Land Use as "Site Specific Special Policy Area B.2.8.13.7" and located at the intersection of Richmond Street and Bloomfield Road, Part of Lot 19, Concession 5 (Raleigh), in the community of Chatham (City) notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) A Senior Citizen Dwelling will also be permitted as a main use. A Senior Citizen Dwelling use shall be implemented by a Zoning By-law Amendment.

b) New buildings and/or additions to existing buildings for any purpose shall be implemented by Site Plan Control.

B.2.9 PUBLIC FACILITY AREA POLICIES

B.2.9.1 ***The Public Facility Area in the Primary Urban Centres shall be designated on Schedule "E" Series – Land Use respectively, to this Official Plan. There are also existing institutional, community and public uses located outside of the Primary Urban Centres that have been designated as Public Facility Areas on Schedule "A" Series – Land Use Plan to this Official Plan.***

B.2.9.2 ***The Public Facility Area is intended for a range of institutional, community and public uses by any level of government, school board, public or private utility, or by a private operator delivering a regulated community service (such as a nursing home).***

B.2.9.3 ***Permitted uses in the Public Facility Area shall include uses such as government offices, hospitals, community services, high schools, churches, community-level recreation facilities, community parks and public open space, cemeteries, public utility buildings or structures, and public works yards. The Public Facility Area designation in the Chatham Urban Centre indicates, among others, the site of the Chatham-Kent Health Alliance and neighbouring lands. It is the intent of this Plan that the long-term land-use focus of this area will be hospital and health-care related. Existing residential uses, however, are permitted and may be zoned for residential use in the Zoning By-law.***

B.2.9.4 ***Parks and public open-space type uses shall address the physical activity needs of residents of all ages and abilities in all seasons and include open-air, active and passive public recreation uses, such as trails, playgrounds and sports fields not associated with a school. Major parks or major public open-space areas may incorporate facilities such as snack bars, washrooms and parking lots. Where public open-space uses exist in large concentrations associated with former institutional uses, a portion of those lands may be redesignated for other uses to facilitate the reuse of the former institutional site.***

B.2.9.5 ***Existing parks and public open space uses shall be maintained. Existing parks and public open spaces shall be enhanced through linkages to other parks, public open spaces, environmental areas and neighbourhoods as established in a future Parks and Recreation Master Plan. Where public open space uses exist in large concentrations associated with former institutional uses, a portion of those lands may be redesignated for other uses to facilitate the reuse of the former institutional site.***

B.2.9.6 ***Major public facilities that provide community care services, such as hospitals and nursing homes, shall be encouraged to locate adjacent to arterial roads.***

B.2.9.7 ***Major public facility uses such as those which generate high car or truck volumes shall be subject to the following policies:***

B.2.9.7.1 Adequate parking for cars and trucks, and adequate loading areas for trucks and garbage vehicles, shall be provided in paved, properly demarcated and illuminated parking areas.

B.2.9.7.2 Access to a new development shall be provided from an arterial or collector road. Multiple driveways are discouraged, unless separate driveways for cars, trucks and/or emergency vehicles are warranted for safety and access reasons.

B.2.9.7.3 Where new development is proposed on lands designated Public Facility Area that are adjacent to a Residential Area, the following shall be required:

a) additional buffering, including but not limited to, increased yard requirements, treed landscaping and fencing;

b) the orientation of facilities for the loading and unloading of vehicles away from the Residential Area.

c) outdoor storage of any goods or raw materials shall be oriented away from the Residential Area.

d) the illumination of parking areas shall be directed away from the Residential Area.

B.2.9.8 The illumination of any playing field shall be directed away from any adjacent residential areas.

B.2.9.9 The cooperation of the School Boards and Community Colleges shall be sought in the development of facilities on school lands that can be shared.

B.2.9.10 Public facilities deemed to be surplus shall be disposed of in accordance with the policies of the Municipality of Chatham-Kent or the applicable government agency.

B.2.9.11 All development or redevelopment in the Public Facility Area is subject to Site Plan Control.

B.2.9.12 Public Facility Area Site-Specific Policies:

B.2.9.12.1 For lands identified on Schedule "E" Series – Land Use, as "Site Specific Policy Area B.2.9.12.1" and located at the north westerly corner of Grand River Line and Bear Line Road, the following policies apply:

a) Permitted uses on the St. Clair College site shall be limited to the following:

i) a Golf Course Management Educational Facility;

ii) uses accessory to the permitted use;

iii) agricultural uses

b) An "H" – Holding Symbol will be applied to the site-specific implementing Zoning By-law; the "H" to be removed once a site plan has been approved.

B.2.9.12.2 St. Clair College

For lands identified on Schedule "E" Series – Land Use as Site-Specific Policy Area B.2.9.12.2 and located on the west side of Bear Line Road, in Part of Lot 19, Concession 1, and being part of a larger holding totalling 23 ha (57 ac.) the following policies apply in addition to the other policies of this plan:

a) Permitted Uses

i) Uses accessory to and forming an integral part of post-secondary educational programming offered by The St. Clair College of Applied Arts And Technology or similar facilities

ii) Agricultural uses

B.2.9.13.3 657 Camden Street

For the lands identified on Schedule "E3" Series – Land Use as "Site Specific Special Policy Area B.2.9.12.3" and located on the south and east side of Camden Street, Part of Lot 1, Plan 139, Part 2, RP 24R 1247 notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) Permitted uses on the subject lands shall be limited to non-commercial agricultural building(s) (excluding grain storage) accessory to and forming an integral part of an adjacent farming operation.

b) Primary access to the subject site shall be over a private laneway to be established over the adjacent agricultural lands and for which a permanent right-of-way is to be established.

B.2.9.13.4 19857 Four Rod Road

For the lands identified on Schedule "A5" Series – Land Use as "Site Specific Policy Area B.2.9.12.4" and located in the northeast corner of the intersection of Four Rod Road & Talbot Trail, Part of Lots 143 & 144, Talbot Road Survey, Parts 1, 2, 3, 4, 11, 13, 14, 15, 16 & 17, RP 24R 9215 notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

a) Permitted uses on the subject lands shall include agricultural uses.

b) The minimum lot area for an agricultural use shall be 20 ha.

c) Notwithstanding clause (b) above, or any other provision of this plan, two farm lots separated by a storm sewer located in a narrow strip of land owned by a third party, shall be considered as one lot, in conjunction with the storm sewer strip, for the purposes of this site-specific policy and the zoning by-law.

d) Notwithstanding Section B.2.9.11, agricultural uses including accessory uses shall not be subject to site plan control.

B.2.10 OPEN SPACE/CONSERVATION LANDS

B.2.10.1 ***The Open Space/Conservation Lands in the Primary Urban Centres will be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.10.2 ***The Open Space/Conservation Lands is intended for conservation, natural environment rehabilitation, and environmental protection (including hazard lands) uses.***

B.2.10.3 ***Permitted uses in the Open Space/Conservation Lands will include conservation and active or passive public recreation. All buildings or structures related to any recreation use in the floodplain will require the prior approval of the appropriate Conservation Authority. Uses in the Open Space/Conservation Lands will also include public utilities or flood control works.***

B.2.10.4 ***Open Space/Conservation Lands will be appropriately zoned in the implementing Zoning By-law. A general setback of 7.5 metres from the stable top of bank of a watercourse or 15.0 metres from a stable top of valley bank of a watercourse, whichever is greater, will be required in the Zoning By-law for all development unless:***

B.2.10.4.1 ***An Engineering Study to determine the stable top of bank acceptable to the appropriate Conservation Authority recommends a reduction in the setback; or***

B.2.10.4.2 ***The area is subject to the provisions of a "Special Policy Area" in Section B.2.11 of this Primary Urban Centre Plan.***

The stable top of bank must meet the definition of erosion hazard under the Provincial Policy Statement.

No development is permitted on or adjacent to a flood control dyke. A general setback of 15 metres from the land side toe of the dyke will be required in the Zoning By-law for all development.

B.2.10.5 ***Lands designated Open Space/Conservation Lands that are in private ownership will not be interpreted to be free and open to the general public. Further, it will not be interpreted that the lands will be purchased by the Municipality or any other public agency. However, the acquisition of the critical parts of an Open Space/Conservation Lands may be considered through the development approval process. Acquisition of floodway lands is the recognized method of future flood prevention in the Dresden Urban Centre.***

B.2.10.6 ***Where new development is proposed on a site, part of which is designated Open Space/Conservation Lands, those lands will not be considered to be acceptable as part of the dedication for parkland purposes as required by the Planning Act, unless agreed to by the Municipality.***

B.2.10.7 Flood constraint areas consist of Floodways, Floodfringes, and Special Policy Areas. The policies for Floodways and Floodfringes are contained in this Section of the Official Plan. The policies for Special Policy Areas are contained in Section B.2.11 of the Plan. The land-use designations shown on Schedule "A" and "E" Series – Land Use, and associated policies, will apply to Flood Constraint Areas, in addition to the policies of Section B.2.10 and B.2.11.

B.2.10.7.1 Policies for lands within the Floodway identified on Schedules "C" Series – Natural Heritage and Hazards Features will be:

B.2.10.7.1.1 The Floodway is the portion of the floodplain required for the safe passage of flood flow and/or the area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property. Lands within the Floodway may also contain other inherent environmental hazards such as organic soils, erosion, steep or unstable slopes or other physical conditions that have the potential to cause property damage and/or loss of life if the lands are developed.

B.2.10.7.1.2 Development and site alteration will not be permitted within the Floodway unless permitted by the regulations of the appropriate Conservation Authority. Buildings and structures related to flood control, watercourse protection works, bank stabilization projects and other such works are permitted subject to acquiring the appropriate work permits.

B.2.10.7.1.3 An application for the redesignation of lands adjacent to or within the Floodway from Open Space/Conservation Lands to another designation will be subject to the following considerations:

a) the existing environmental and/or physical hazards;

b) the potential impacts of these hazards;

c) the proposed methods for overcoming these impacts in a manner consistent with accepted engineering techniques and resource management practices;

d) the costs and benefits in monetary, social and environmental value in terms of any engineering works needed to overcome these effects; and

e) approval of the appropriate Conservation Authority.

B.2.10.7.2 Dresden Urban Centre

The Floodway for the Dresden Urban Centre consists of Floodway Area A and Floodway Area B identified on Schedules "C" Series – Natural Heritage and Hazards Features.

B.2.10.7.2.1 Floodway Area A Policies

a) the area designated Floodway Area A is defined by an elevation of 180.44 metres.

b) no new development is permitted within Floodway Area A unless it conforms with the Dresden Floodplain Master Plan. The long-term goal for the area is the acquisition of all property and redevelopment as passive and active recreation space. Changes to the Floodplain Master Plan will not require an amendment to this Official Plan, unless such changes are deemed by Council to not be in accordance with the general development principles of this Official Plan.

c) design of structures and accessory buildings necessary to implement the Floodplain Master Plan will be subject to approval by the appropriate Conservation Authority.

B.2.10.7.2.2 Floodway Area B Policies

a) the area designated Floodway Area B is defined by an elevation of 180.44 metres.

b) no new development is permitted within the Floodway Area B designation. The long-term land-use goal for the area is open space. The lands will be zoned in an appropriate Hazard Land or Open Space Zone in the implementing Zoning By-law.

B.2.10.7.2.3 Existing Uses Within the Floodway

Existing uses located within Floodway Area A, but not within the Special Policy Area described in Section B.2.11, will become non-conforming uses in the implementing Zoning By-law. Although the long-term land-use goal for this area is open space, future expansions or improvements to existing commercial and industrial uses may be considered by the Committee of Adjustment. The Committee in reviewing applications will circulate them to the Ministry of Natural Resources and the appropriate Conservation Authority.

B.2.10.8 Policies for lands within the Floodfringe identified on Schedules "C" Series – Natural Heritage and Hazards Features will be:

B.2.10.8.1 The Froodringe: is the portion of the floodplain outside of the Floodway.

B.2.10.8.1.1 New development within the Floodfringe may be permitted subject to flood proofing of all buildings.

B.2.10.8.2 Dresden Urban Centre

The Floodfringe for the Dresden Urban Centre is identified on Schedules "C" Series – Natural Heritage and Hazards Features.

B.2.10.8.2.1 Flood fringe Policies

a) the area designated Floodfringe is defined by a regulatory flood datum of elevation 181.36 metres.

b) in the Floodfringe, flood proofing of all buildings is required. Flood proofing measures will be in accordance with the Ontario Building Code, as amended, and will include:

i) structural design to withstand hydrostatic forces;

ii) materials not subject to deterioration if flooded;

iii) minimum building opening not below elevation 181.66 metres where site conditions permit;

iv) special measures for non-residential buildings where site conditions do not permit a minimum opening elevation of 181.66 metres, including:

- ***doors and windows designed to withstand hydrostatic forces***
- ***all mechanical / electrical / heating equipment located above elevation of 181.94 metres***
- ***minimum building opening not less than elevation 180.75 metres***

c) The implementing Zoning By-law will identify the Floodfringe lands.

d) New development within the Flood fringe must:

i) be provided with municipal sewage and water services to avoid the potential problems associated with septic tank tile bed flooding and possible ponding of effluent;

ii) satisfy the flood-proofing requirements of the Conservation Authority.

e) Five dwellings have been constructed on the narrow band of Floodfringe between Metcalfe Street and Sydenham River. During flood events, these dwellings usually become inaccessible. However, there is a possibility that these dwellings may be purchased as part of the Floodplain Master Plan implementation. If such purchase occurs, then these lands are to revert to the Floodway Open Space Area A designation and be rezoned accordingly.

B.2.10.8.3 Tilbury Urban Centre

B.2.10.8.3.1 Lands within the Tilbury Urban Centre located north of Highway 401 are identified as Floodfringe on Schedules "C" Series – Natural Heritage and Hazards Features. Development will be permitted provided that flood proofing is provided to a minimum level of:

a) 177.0 metres Canadian Geodetic Datum for non-habitable buildings; and

b) 177.7 metres Canadian Geodetic Datum for habitable buildings.

B.2.10.8.3.2 Flood proofing for habitable buildings involves keeping all building openings above the applicable level and filling to the elevation prescribed above, for a distance of at least 2.0 metres beyond the external walls.

B.2.10.8.3.3 Non-habitable dwellings will incorporate other flood proofing measures as a means of reducing the potential for property damage. These include:

a) using structural materials that are not subject to

deterioration from floodwaters below elevation 177.7 metres;

b) locating mechanical, electrical and heating equipment above 177.7 metres; and

c) locating long-term storage space above 177.7 metres.

B.2.10.8.4 Wallaceburg Urban Centre

The Sydenham River, Otter Creek and Running Creek Channels, plus 3.0 metres from the top of bank on each side, constitute the Floodway for the Wallaceburg Urban Centre. The balance of the Wallaceburg Urban Centre is identified as Floodfringe on Schedules "C" Series – Natural Heritage and Hazards Features.

B.2.10.8.4.1 Development will be permitted in the Floodfringe provided that floodproofing to the Regional Flood elevation, which is 177.24 metres Canadian Geodetic Datum.

B.2.10.8.4.2 In addition, new buildings must be set back 38.1 metres from the top of the bank of Otter Creek in the Zoning By-law.

B.2.11 SPECIAL POLICY AREA

B.2.11.1 General

B.2.11.1.1 The Special Policy Area designation applies to an area within a community that has historically been located within the floodplain and where strict prohibition of development would result in social and economic hardships for that community. As a result, site-specific policies have been formulated to address development within the defined limits of the Special Policy Area.

B.2.11.1.2 Notwithstanding the policies of this Official Plan, all development within a Special Policy Area will be subject to appropriate Conservation Authority review and may be subject to Site Plan Control.

B.2.11.1.3 Applications for new buildings, expansions or major renovations on lands that are located within a Special Policy Area will require the approval of the appropriate Conservation Authority.

B.2.11.1.4 Development will be permitted within the Special Policy Area subject to the policies of this Plan.

B.2.11.1.5 In this section, "habitable floor area" will mean rooms or spaces used as living areas or intended for overnight occupancy and includes facilities necessary to maintain the habitable condition.

B.2.11.1.6 For existing buildings and structures that do not meet the minimum opening to habitable floor area requirements, the following policies will apply to proposed additions or alterations:

- ***a) the use will remain the same;***
- ***b) interior alterations may be permitted, provided that the same use is intended and the use is not intensified;***
- ***c) additions may be permitted in accordance with the policies of this section of the Plan.***

B.2.11.2 Chatham Urban Centre

B.2.11.2.1 The Chatham Urban Centre has developed in flood-prone areas along the Thames River, McGregor's Creek, Indian Creek and Mud Creek, and portions of the Chatham Urban Centre are designated as Special Policy Area Schedules "C" Series – Natural Heritage and Hazards Features.

B.2.11.2.2 Residential Uses

For all new residential dwelling units and additions or renovations to existing residential structures, flood-proofing measures will include:

a) no unprotected building openings, except into accessory buildings, will be below the Regulatory Flood Datum (RFD);

b) minimum-grade elevation within 1.82 metres of a dwelling foundation wall will not be less than the RFD;

c) any new habitable floor area will be flood proofed to the RFD, unless the proposed increase is less than 20% of the existing habitable floor area, in which case new ground floor habitable floor areas will be flood proofed to at least the elevation of the existing ground-floor level;

d) where new habitable floor area is to be flood proofed to a level below the RFD as provided for in (c) above, new windows, doors or similar openings will be designed to withstand hydrostatic forces of flooding to the RFD;

e) structural materials subject to deterioration from flooding will not be used below the RFD unless the area is protected to the RFD;

f) mechanical, electrical and heating equipment will be in an area protected to the RFD or be located to the RFD;

g) areas below the RFD will be protected against storm or sanitary sewer backup;

h) filling as approved by the Conservation Authority;

Where warranted, additional flood damage reduction measures may be required.

B.2.11.2.3 Commercial or Institutional Uses and Essential Services

For all new commercial or institutional uses and essential services, or additions or renovations to existing structures, flood proofing measures will include:

a) the structure will be designed to withstand the hydrostatic forces of the RFD;

b) structural materials subject to deterioration from flooding will not be used below the RFD, unless the area is protected to the RFD;

c) no unprotected building openings, except into accessory buildings, will be below the RFD;

d) window openings to buildings will not be permitted below the RFD;

e) in order to avoid unnecessary hardship to business properties, doorways may be permitted below the RFD, if provisions are made to prevent the entry of flood water at the RFD;

f) mechanical, electrical and heating equipment will be located above the RFD or in an area protected to the RFD;

g) additional flood protection measures may be imposed on a site-specific basis, where the following is proposed:

i) new institutional uses where a significant threat to the safety of the inhabitants or occupants exists, if an emergency evacuation situation would result from flooding or the failure of flood-proofing measures;

ii) new essential services including, but not limited to, police, fire stations, ambulance stations, and public utilities that must continue to function during a flood emergency;

These additional requirements may include a higher level of flood protection, and/or extra flood precautions, and it will be required that emergency vehicles not be prevented access during times of flooding;

h) any new floor area will be flood proofed to the RFD, unless the proposed increase is less than 20% of the existing floor area, in which case new ground-level floor area will be flood proofed to at least the elevation of the existing ground floor level;

i) where new commercial floor space is to be flood proofed to a level below the RFD, new windows, doors or any other similar openings will be designed to withstand hydrostatic forces of flooding to the RFD.

B.2.11.2.4 All Other Uses

For all other uses not specified in Sections B.2.11.2.2 or B.2.11.2.3, for new structures and additions or renovations to existing structures, flood proofing measures will include:

a) the structure will be designed to withstand the hydrostatic forces of the RFD;

b) structural materials that are not subject to deterioration from flooding will be used below the RFD;

c) no unprotected building openings except into accessory buildings will be permitted below the RFD;

d) in situations where an applicant is able to demonstrate that the attainment of flood proofing of building openings to the RFD is not feasible, an application may be made for a Minor Variance to permit flood proofing to a lower specified elevation, but the applicant must demonstrate that:

i) mechanical, electrical and heating equipment will be located above the RFD or be located in an area protected to the RFD;

ii) doors have been designed to withstand hydrostatic forces;

iii) the structural design ensures that the interior ground floor elevation is as close as possible to the RFD;

iv) every effort has been made to flood proof the structure;

v) the Conservation Authority is satisfied that the flood proofing to the lower elevation is adequate.

e) any new floor area will be flood proofed to the RFD, unless the proposed increase is less than 20% of the existing floor area, in which case the new ground-level floor space will be flood proofed to at least the elevation of the existing ground floor level.

B.2.11.3 Dresden Urban Centre

B.2.11.3.1 The Downtown/Main Street Area of the Dresden Urban Centre has developed in a flood-prone area, and because of the unusual circumstances in this area, a portion of the Downtown/Main Street Area is designated Special Policy Area as shown on Schedules "C" Series – Natural Heritage and Hazards Features.

B.2.11.3.2 Lands within the Special Policy Area, although they are susceptible to flooding, may be developed for non-residential uses that are consistent with the policies of this Official Plan.

B.2.11.3.3 All new buildings, expansions or major renovations will be flood proofed in accordance with the requirements of the Building Code and will include:

a) structural design to withstand hydrostatic forces;

b) materials not subject to deterioration if flooded;

c) minimum building opening not below elevation 181.66 metres where site conditions permit;

d) special measures for non-residential buildings where site conditions do not permit a minimum opening of 181.66 metres, including:

i) doors and windows designed to withstand hydrostatic forces;

ii) all mechanical/electrical/heating equipment located above elevation 181.94 metres; and

iii) minimum building opening not less than elevation 180.75 metres.

B.2.11.4 Thamesville Secondary Urban Centre

B.2.11.4.1 The entire Thamesville Secondary Urban Centre is subject to flooding by the Thames River. More localized flooding and erosion are also caused by Cornwall Creek and Cruickshank Creek. A portion of the Thamesville Secondary Urban Centre is designated Special Policy Area as shown on Schedules "C" Series – Natural Heritage and Hazards Features.

Lands within the Special Policy Area, although they are susceptible to flooding, may be developed consistent with the policies of this Official Plan.

B.2.11.4.2 Residential Uses

New residential structures and additions or renovations to existing residential structures will include the following flood-proofing measures:

a) the structures will be designed to withstand hydrostatic forces;

b) structural materials that are not subject to deterioration from floodwaters will be used;

c) living space will not be permitted below the RFD;

d) building openings to living space will not be permitted below the RFD;

e) mechanical, electrical and heating equipment will be located above the RFD;

f) sanitary sewers will be tight against inflow below the RFD;

g) filling as approved by the Lower Thames Valley Conservation Authority.

Where warranted, additional flood damage reduction measures may be required.

B.2.11.4.3 Employment Uses

New structures and additions, or renovations to existing structures, will include the following flood-proofing measures:

a) the structures will be designed to withstand hydrostatic forces;

b) structural materials that are not subject to deterioration from floodwaters will be used;

c) living space will not be permitted below the RFD;

d) window openings to building openings will not be permitted below the RFD; however, doorways may be below the RFD in order to avoid unnecessary hardship to business properties, subject to approval from the Lower Thames Valley Conservation Authority.

e) mechanical, electrical and heating equipment will be located above the RFD;

f) where doorways are permitted below the RFD level, the openings will be fitted with flood shields to prevent water from entering the structure.

Where warranted, additional flood damage reduction measures may be required.

B.2.11.4.4 All Other Uses

New non-residential structures and additions or renovations to existing non-residential structures, will include the following flood-proofing measures:

a) the structure will be designed to withstand hydrostatic forces;

b) structural materials that are not subject to deterioration from floodwaters will be used;

c) minimum building openings will not be below the RFD;

d) building openings may be below the RFD where the owner is able to demonstrate that the attainment of the RFD for building openings is not feasible, subject to approval from the Conservation Authority.

B.2.12 URBAN RESERVE POLICIES

B.2.12.1 ***The Urban Reserve Area in the Urban Centres shall be designated on Schedule "E" Series – Land Use to this Official Plan.***

B.2.12.2 ***The Urban Reserve Area is intended to be a land reserve for the future development of the Urban Centre and shall not require further justification to change lands from agricultural to urban land uses.***

B.2.12.3 ***Any application for the development of lands in the Urban Reserve Area shall be considered premature until the following conditions have been satisfied:***

B.2.12.3.1 A Secondary Plan has been approved for the Urban Reserve Area;

B.2.12.3.2 Adequate capacity exists in the area roads, municipal water and sanitary sewerage services, stormwater management system and community facilities to accommodate the proposed development; and

B.2.12.3.3 The proposed development can be phased-in in an orderly and logical fashion in relation to the existing built-up area.

B.2.12.4 ***The Secondary Plan shall be incorporated into this Official Plan by a formal amendment.***

B.2.12.5 ***The permitted use in the Urban Reserve Area shall be agriculture.***

B.2.12.6 ***No new livestock operation or retail or wholesale sales shall be permitted in the Urban Reserve Area as either primary or accessory uses.***

B.2.12.7 ***For lands located within or adjacent to the significant habitat of endangered or threatened species identified in consultation with the Ministry of Natural Resources, Provincially Significant Wetlands identified on Schedules "A" and "E" Series – Land Use, or significant natural heritage features identified on Schedule "C" Series – Natural Heritage and Hazards Features, the policies contained in Section 4 of this Plan will also apply.***

B.2.13 SECONDARY PLANNING AREAS

Secondary Planning Areas are lands for which a detailed planning process has been or will be undertaken with public consultation to address matters such as land use, servicing requirements, phasing and financing of development. For those Secondary Planning Areas listed in this section, the land-use designations and policies contained in the respective Secondary Plan will apply to those lands within the Secondary Plan Area, notwithstanding any other policies of the Plan.

B.2.13.1 Chatham Urban Centre

a) Northwest Quadrant "A" Secondary Plan;

b) Northeast Quadrant "A" Secondary Plan;

c) Northeast Quadrant "B" Secondary Plan;

d) Southwest Quadrant Secondary Plan;

e) St. Clair North Secondary Plan;

f) Northwest St. Clair Secondary Plan;

g) Northwest Quadrant Area "B" Secondary Plan

B.2.13.2 Mitchell's Bay Urban Centre

B.2.13.1.e) St. Clair North Secondary Plan

For the lands identified on Schedule "E" Series – Land Use as "St. Clair North Secondary Plan 2.13.1 e)" and located on the east side of St. Clair Street, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

1.0 Statement of Policy

The policies set forth in this Section are designed to guide future development while observing provincial policy. The policies of the Municipality of Chatham-Kent's Official Plan are applicable, provided that they are not in conflict with the more specific objectives outlined herein. In the event of conflict, the objectives and policies set forth in this document take precedence.

1.1 Mobile Home Park

Section 2.3.13 "Mobile Home Park Area" policies of the Chatham-Kent Official Plan shall apply to the lands designated "Mobile Home Park Area" on Map Schedule "1" – Preferred Development Concept Plan.

1.2 Commercial Area Policies

For the lands designated "Highway Commercial Area" on Map Schedule "1" – Preferred Development Concept Plan, the following policies shall apply:

a) The Highway Commercial Area is intended for a specific range of commercial uses that cater to the needs of the travelling public, while also recognizing the existing retail uses and limited expansions and/or redevelopment of these retail uses and limited new retail uses;

b) Development within the Highway Commercial Area will be developed on full municipal services;

c) New development will be required to provide adequate stormwater management in accordance with Policy 2.4.9 of the Official Plan;

d) Permitted commercial uses in the Highway Commercial Area will include restaurants, financial institutions, service commercial uses, automobile-oriented uses such as vehicle sales, service and gas bars with convenience retail, commercial recreational facilities, hotels, motels, conference facilities, meeting/banquet facilities, entertainment use excluding a cinema, public and private clubs, and police, fire or ambulance facilities, existing retail uses and limited expansions and/or redevelopment of these

e) Retail uses and limited new retail uses, as more specifically defined in the Zoning By-law;

f) Expansions to existing retail commercial uses and new retail commercial uses shall be permitted, subject to the following:

i) the maximum gross floor area for expansions to existing retail commercial uses or new retail commercial uses shall not be greater than 1,858 sq. m (20,000 sq. ft.)

ii) the minimum gross floor area for a new single retail facility shall be 465 sq. m (5,000 sq. ft.)

iii) except where specifically permitted in the Zoning By-law, when an applicant is proposing a retail commercial use expansion or new retail commercial use greater than 1,858 sq. m (20,000 sq. ft.) a Market Demand and Directional Impact

Analysis shall be prepared to the satisfaction of the Municipality to demonstrate that the proposed retail commercial uses will not have an unacceptable impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial system hierarchy. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to peer review by the Municipality and carried out at the expense of the applicant.

g) Applications for new development in the Highway Commercial Area will be subject to the following policies:

i) adequate off-street parking will be provided

ii) the depth and frontage of the lots will be sufficient to allow for parking and turning movements

iii) traffic access will be properly designed and controlled to maintain public safety

iv) vehicular access points will be limited, and those that are continuous across the lot frontage will not be permitted

v) common access points among uses will be encouraged

vi) adequate buffer planting, landscaping, screening and separation distances will be provided between uses and throughout the site

vii) the creation of parcels of land unsuitable for commercial use will not be permitted

h) Parking for cars and trucks and loading areas for trucks and garbage vehicles will be provided in paved, properly demarcated and illuminated parking areas;

i) Access to a new development will be provided from an arterial, collector or local road;

j) Multiple driveways will be discouraged, unless separate driveways for cards and trucks are warranted for safety reasons;

k) For the Highway Commercial Area north of the HEPC corridor, the following policies may be required as conditions of development:

i) the Municipality may require the Owner to convey the necessary land to secure the eventual construction of Future Road "B" as indicated on the Preferred Development Concept Plan as a Public Road

l) All development in the Highway Commercial Area will be subject to Site Plan Control;

m) A site-plan agreement will be required as a condition of site-plan approval.

1.3 Transportation Network Policies

The following policies shall apply to the St. Clair North Secondary Plan Area:

a) Provide a northbound right-turn lane with 60 m of parallel length at the Power Centre south access;

b) Provide a centre two-way left turn lane with a width of 5 m between the Power Centre south access and Gregory Drive;

c) Monitor the future traffic volumes on St. Clair Street and, if warranted, plan to replace the two-way left-turn lane with a future 5 m wide non-traversable median when future growth occurs;

d) Plan and prepare for a new signalized intersection located just north of the Hydro corridor, which would provide access to the St. Clair Community Estates mobile home park and a signalized access for the commercial strip properties;

e) Plan and prepare for a rear access service road (Road "B") along the rear of the existing commercial strip properties, which would provide access to the proposed new traffic signal located just north of the Hydro corridor;

f) At the intersection of St. Clair Street and Gregory Drive, increase the storage length of the eastbound left-turn lane to 70 m and the southbound left-turn lane to

75 m, and modify the existing traffic signal timing plan to accommodate future anticipated traffic volumes;

g) That the Municipality pursue a potential secondary access to St. Clair Community Estates mobile home park in the Area of Interest identified along Gregory Drive East on the preferred Development Concept Plan.

1.4 Capital Expenditures

The policy of the Secondary Plan will be to ensure the economic provision of the recommended infrastructure improvements in accordance with recognized standards for urban development. Specifically, the Municipality may use the following to recover capital expenditures in the Secondary Plan Area:

a) The Municipality may use financial mechanisms available to it under the Municipal Act, Development Charges Act, Planning Act and any other applicable legislation;

b) The Municipality may pass a development charges by-law that applies to the Municipality as a whole, and/or that applies to specific areas of the Municipality;

c) The Municipality will diligently seek the maximum revenues possible from senior levels of government in relation to the provision of public infrastructure improvements in the Secondary Plan Area.

1.5 Expansion of existing Urban Area Boundary

Any proposals to expand the existing urban area boundaries of the Primary Urban Centre beyond the Secondary Plan Area as shown on Map Schedule "1" will be in accordance with the policies of Section 6.3.3.10 of the Chatham-Kent Official Plan.

B.2.13.1f) Northwest St. Clair Secondary Plan

For the lands identified on Schedule "E" Series – Land Use as "Site Specific Policy Area B.2.5.19.3" and located on the northwest side of St. Clair Street, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

1.0 Statement of Policy

The policies set forth in this section are designed to guide

future development, while observing provincial policy. The policies of the Municipality of Chatham-Kent's Official Plan are applicable, provided that they are not in conflict with the more specific objectives outlined herein. In the event of conflict, the objectives and policies set forth in this document take precedence.

1.1 The Subject Lands

The lands that are the subject of this secondary plan are situated on west side of St. Clair Street between lands designated Power Centre commercial, known as the Canril Site, on the north and the boundary of the Chatham Urban Area on the south.

1.2 Development Proposal

The Municipality has received a development application for:

a) a Home Improvement Related Merchandise Centre and Garden Store;

b) Cinema with 6 screens, and;

c) Ancillary commercial uses,

On a 6.5 ha (16.02 ac.) parcel lying on the west side of St. Clair Street, just south of Pioneer Line, and bounded by the Canril Power Centre Commercial site to the north and the Martin Drain to the south.

It is a requirement of Section B.2.5 Power Centre Commercial as found in the provisions of B.2.5.19, that any proposal to expand the Power Centre Commercial designation into the subject lands as described in Section 1.1 above be subject to a secondary plan.

For the purpose of this secondary plan, the proposed development is known as the Chatham Power Centre.

1.3 Development Proposal

The urban boundary of the Chatham Urban Area is relocated southward from the Canril Power Centre to the centreline of the Martin Drain, so as to include the Chatham Power Centre development described in 1.2 above.

1.4 Power Centre Commercial Policies

Site-Specific Policy Area B.2.5.19.3 with policies applicable to the Chatham Power Centre are added to Section B.2.5 Power Centre Commercial.

1.5 Infrastructure Improvements

a) No improvements are required for the water supply and sanitary sewer systems.

b) Stormwater management will be contained on the Chatham Power Centre site with an outlet to the Martin Drain. No improvements to the Martin Drain are required.

c) Road improvements will be in accordance with the Traffic Impact prepared by Stantec Consulting Ltd. dated March 2020. These improvements will include the following:

i) provision of a 150 m (500 ft.) storage length northbound left-turn lane on St. Clair Street at the proposed main entrance to the Chatham Power Centre

ii) addition of a westbound right-turn lane at the Regency Drive/St. Clair Street intersection

iii) provision of additional access to the Chatham Power Centre site prior to full build out, either through the Canril site to the north or south of the Martin Drain, subject to the phasing policies in 1.6 below

iv) at the St. Clair Street/Gregory Drive intersection, provision of a separate right-turn lane on the westbound approach and lengthening of existing left-turn storage lanes on the other approaches

1.6 Development Phasing

a) An initial phase of the Chatham Power Centre development comprising the proposed cinema and two ancillary commercial buildings not to exceed 2,197 sq. m (23,649 sq. ft.) may proceed without the road improvements described in 1.5 c)ii) to iv) of the Northwest St. Clair Secondary Plan.

b) Subsequent phases of the Chatham Power Centre may

only proceed after the Traffic Impact Study has been updated and any necessary amendments to the zoning-by-law and site-plan agreement have been finally approved.

1.7 Capital Expenditures

Compensation of capital expenditures required as part of this development proposal or expenditures as part of previous infrastructure upgrades will be negotiated as part of the site-plan agreement.

1.8 Transportation Network

There are two transportation network goals arising from the Traffic Impact Study.

a) The provision of an east-west collector road through the southern end of the Secondary Plan to align with the future Road "A," and associated traffic signal on the east side of St. Clair Street, as identified in the St. Clair North Secondary Plan.

b) The provision of an internal north-south corridor within the Chatham Power Centre site, connecting to the existing aisle and driveway system of the Canril site to the north and future development to the south of the Martin Drain.

1.9 Future Development

a) Lands south of the Martin Drain and within the Northwest St. Clair Secondary Plan will retain the existing Agricultural designation without further amendment.

b) Future development proposals within the lands south of the Martin Drain will require an amendment to this Secondary Plan. In the interim, these lands will retain the Agricultural designation.

c) Future development proposals that will necessitate an expansion of the urban boundary must satisfy Section 6.3.3.10.4.2 of this Plan.

1.10 Implementation

Generally, this secondary plan will be implemented through the authority granted the Municipality under the Planning Act

and other legislation, and more particularly as follows:

a) Site-specific area policies regarding the Chatham Power Centre are added to Section B.2.5 Power Centre Commercial of this Plan;

b) Phasing of development will use the "H" Holding Symbol and the site-plan control agreement.

c) The Chatham-Kent Transportation Master Plan will be updated to show the future east-west collector referenced in 1.8 a).

B.2.13.1.g) Northwest Quadrant Area "B" Secondary Plan

1.1 Introduction

A major purpose of the Secondary Plan for the Northwest Quadrant Area "B" is to supplement the policies of the Official Plan for the Municipality of Chatham-Kent with a land-use scheme that articulates, in greater detail, the broad policies established in the Official Plan. The Secondary Plan shall generally conform to and implement the goals, policies and land-use designations of the Official Plan of the Municipality of Chatham-Kent. However, where there is a conflict between the Official Plan and the Secondary Plan, the Secondary Plan policies shall prevail.

Another major purpose of the Secondary Plan is to ensure that development is phased-in in an efficient manner that creates a compact urban form and that prevents the premature development of agricultural lands.

The Secondary Plan is comprised of:

a) A Development Concept.

b) Development Policies.

c) Servicing and Development Charge Policies.

d) A Phasing and Implementation Strategy.

This Secondary Plan assumes that there will be multiple phases in the subject area, with the extent of the initial phase based on the utilization of existing sanitary sewage capacity in the Orangewood sanitary sewer system and the Northwest 'A' sanitary sewer system at Valencia. The policies of this section

apply to all phases, unless otherwise noted.

For background material, reference should be made to the various studies utilized in the preparation of the Secondary Plan for the Northwest Quadrant Area "B".

1.2 Development Concept

The Development Concept for the Planning Area is illustrated in Schedule "NWB-1."

The phasing scheme for the Planning Area is described in Section 1.4.

1.3 Development Policies

1.3.1 Neighbourhood Low-Density Residential

a) Neighbourhood Low Density Residential shall mean residential development comprised of single detached dwellings. The minimum lot frontage shall be 15.24 m (50 ft.) and the minimum lot area shall be 464.5 sq. m (5,000 sq. ft.), except in those areas where Policy 1.3.1(b) below applies.

b) In areas that are adjacent to existing residential neighbourhoods, development shall have lots and associated housing that are consistent with the lot size and housing character of those existing neighbourhoods.

1.3.2 Low-Density Residential

a) Low Density Residential shall mean development comprising a range of single-detached and semi-detached housing types. For Phase 1, the minimum lot frontage for single-detached housing will be 10.7 m (35 ft.). For subsequent phases, the minimum lot frontage for single-detached housing will be 9.14 m (30 ft.). For subsequent phases, the minimum lot area for single-detached housing will be 278.7 sq. m (3,000 sq. ft.), the minimum lot frontage for semi-detached will be 15.24 m (50 ft.), and the minimum lot area for semi-detached will be 464.5 sq. m. (5,000 sq. ft.).

b) Semi-detached dwelling lots shall use common driveways and have no more than one driveway entrance per 15.24 m (50 ft.) of frontage.

c) No driveway entrances will be permitted from Low Density Residential areas onto collector or arterial roadways.

1.3.3 Medium-Density Residential

a) Medium Density Residential shall mean townhouse and fourplex dwellings and single-detached, duplex, and double-duplex and semi-detached housing. The maximum residential density will be as noted by the density symbols indicated in Schedule "NWB-1." The minimum lot frontage for single-detached housing shall be 9.14 m (30 ft.) and minimum lot area 278.7 sq. m (3,000 sq. ft.).

b) The minimum residential densities indicated by the density symbols in Schedule "NWB-1" for the different medium-density blocks may be adjusted upward as a result of further subdivision, provided that the average of all Medium Density Residential properties within the subject block do not exceed its density symbol.

c) Ultimate residential densities for individual multi-unit residential developments will be established through the Zoning By-law and through Site Plan Control, based on the appropriateness, size, shape and design of individual sites. Where a multi-unit site is located adjacent to existing residences, special screening and buffering will be implemented under Site Plan Control (see also Policy 1.3.10 – Civic Design).

1.3.4 Future Residential Densities

a) It is recognized that, if market and servicing parameters assumed in the preparation of this Secondary Plan change over time, it may be advisable to reconsider a proposed residential density designation. Consideration for such redesignation will be based on the following:

i) A transition strip of development will be maintained adjacent to existing residential uses that would generally be consistent with the existing residential area in character and market value.

ii) An overall equivalent density of 15 persons per acre, or any increased density in a subsequent

standard adopted by the Municipality, will be maintained for the subject lands in their entirety.

1.3.5 Neighbourhood Commercial

(a) Neighbourhood Commercial shall mean a group of convenience or service establishments developed as a unit that include uses serving the most frequent and everyday needs of the residents of the surrounding residential areas, such as variety stores, personal services, banks, restaurants, day care or nursery schools and other convenience facilities.

(b) Neighbourhood Commercial areas shall:

i) Contain a maximum of 1,486.5 sq. m (16,000 sq. ft.) of gross leasable floor area.

ii) The gross leasable floor area of an individual store or unit shall not exceed 464.5 sq. m (5,000 sq. ft.).

(c) Notwithstanding Section B.2.3.7.3 of the Chatham-Kent Official Plan, an Official Plan Amendment will be required to designate any additional Neighbourhood Commercial areas in the planning area.

(d) Neighbourhood Commercial uses shall be subject to Site Plan Control.

1.3.6 Office/Service

(a) Office/Service shall mean a group of office or service establishments developed as a unit that include uses serving the everyday needs of the residents of the surrounding residential areas, such as personal services, banks, restaurants, offices, clinics, day care or nursery schools.

(b) Office/Service Areas shall:

i) Contain a maximum of 1,486.5 sq. m (16,000 sq. ft.) of gross leasable floor area.

ii) The gross leasable floor area of an individual establishment or unit shall not exceed 464.5 sq. m (5,000 sq. ft.).

(c) Notwithstanding Section B.2.3.7.3 of the Chatham-Kent Official Plan, an Official Plan Amendment will be required to designate any additional Office/Service areas in the planning area.

(d) Office/Service uses shall be subject to Site Plan Control.

1.3.7 Open Space/Conservation

(a) In the areas designated as Open Space / Conservation, the predominant use of land will be for conservation, public outdoor recreation and for stormwater management purposes.

(b) The Open Space / Conservation designation consists of three components:

i) Lands 7.62 m (25 ft.) from the top of the bank on both sides of the Brown Drain outside of the significant woodland.

ii) The entire significant woodland to be known as the O'Neill Nature Preserve, an area of approximately 8.68 ha (21.45 ac.);

iii) Stormwater Management ponds.

(c) Stormwater management shall be consistent with the land use described on Schedule "NWB-1" and with the overall stormwater management report "Woods Edge Subdivision Preliminary Servicing Report" by Thames Valley Engineering Inc., dated December 3, 2007, as updated September 15, 2010. The final design will be subject to adjustments due to the revised extent of the Open Space / Conservation designation and the revised road layout.

(d) The rate of flow of stormwater discharge into the existing municipal drains from the Planning Area shall be no greater than the pre-development rate of flow.

(e) It is acknowledged that conveyance of the lands noted in 1.3.7(b)(i) and part of the lands noted in 1.3.7(b)(ii) in accordance with an agreement between the Municipality and 224982 Investments Ltd., dated May 8, 2002, will satisfy the parkland dedication

requirement for the Secondary Plan area.

(f) Public outdoor recreation shall include passive uses such as walking, jogging, bicycling and picnicking, and it may include the installation of playground equipment.

(g) The woodland shall be maintained primarily as a nature preserve. Standards for public access, construction of trails, and maintenance of the Brown Drain, as it flows through the woodland, shall be modified to reflect the goal of protecting the natural features and functions of this block. The Municipality will establish a maintenance program designed to protect the natural heritage values of the block over the long term.

(h) A buffer area approximating the drop line of the woodland will be subject to regulations and/or restrictions designed to protect the woodland.

(i) Public walkways will be required at strategic locations within the development proposal in order to improve the continuity, accessibility and utility of the open-space system. The general requirements for walkways have been depicted in Schedule "NWB-1" – Development Concept.

(j) Paved 2.4 m (8 ft.) wide pedestrian/bicycle paths will be constructed within the open space system along the Brown Drain. Final locations will be dependent on the final design of the stormwater management plan and roadway alignments as approved by the Municipality.

(k) The pedestrian/bicycle paths depicted alongside the Brown Drain are to be constructed in conjunction with the phasing of adjacent development. However, the Municipality may seek the cooperation of the developer to establish additional linkages in advance of development.

(l) All lands dedicated for parkland shall be in a condition suitable for development as a public recreation area in accordance with the standards of the Municipality.

(m) Prior to acceptance of the submission by the Municipality, the Developer will level and seed with

grass all open-space areas where the natural heritage features are not being preserved. Where the grade of any open-space area is of a slope of 4:1 or steeper, the area shall be planted in a self-maintaining manner such as with wild flowers or ornamental grasses. Where a watercourse is part of an open-space area, a buffer strip on both sides of the watercourse shall also be planted in a self-maintaining manner. The nature, extent and timing of improvements shall be determined by the Municipality through the subdivision agreement;

(n) The developer shall construct, at their own expense, all required 5 ft. wide concrete walkways and associated walkway fencing.

(o) The installation of walkways and pedestrian/bicycle paths in the open-space system shall take place prior to the construction of any dwelling units in the immediate vicinity. The precise timing and phasing of pedestrian/bicycle paths and walkways construction will be dealt with through the subdivision agreement.

(p) Conveyance of municipal servicing infrastructure for stormwater management will be made in conjunction with the registration of the phase of a plan of subdivision within which they are located, unless otherwise noted.

1.3.8 Institutional

(a) Institutional shall mean primary or secondary schools and places of worship that serve the surrounding residential areas.

(b) Where new development is proposed on lands designated Institutional that are adjacent to a residentially designated area, the following shall be required:

i) Additional buffering, including but not limited to, increased yard requirements, treed landscaping and fencing;

ii) The orientation of facilities for the loading and unloading of vehicles away from the residential area;

iii) Outdoor storage of any goods or raw materials

shall be oriented away from the residential area; and

iv) The illumination of parking areas and playing fields shall be directed away from the residential area.

(c) Institutional uses shall be subject to Site Plan Control.

(d) Where lands designated Institutional on Schedule "NWB-1" are also shown with a residential density symbol of 15 units per acre, the permitted uses shall include Medium Density Residential uses up to a maximum density of 15 units per gross acre, in accordance with Section 1.3.3.

1.3.9 Transportation

(a) There are three existing collector roads depicted in Schedule "NWB-1" – Development Concept, being Baldoon Road, Gregory Drive West and Orangewood Boulevard, which will be subject to the following policies:

i) Future upgrading of Baldoon Road and Gregory Drive will be undertaken in a separate process to be determined by the Municipality. Development of the full subdivision can proceed regardless of the timing of these municipal upgrades.

ii) The developer will be responsible for geometric improvements such as tapers and left-turn lanes in the collector road systems as identified in the Brombow Developments Limited Traffic Impact Study by F.R. Berry Associates as updated in accordance with the Peer Review Memorandum, dated September 8, 2010, prepared by Stewart Elkins of HDR/iTRANS. The timing of these geometric improvements will be in accordance with this study.

iii) A 3.0 m (9.8 ft.) road allowance widening the full length on the south side of Gregory Drive will be required.

iv) Direct access from residential lots to a collector road is not permitted. The developer shall provide a 0.3 m (1 ft.) reserve adjacent to

collector roads in all residential designations.

(b) Local roadways and sidewalks will be designed and constructed in accordance with the latest version of the municipal document Development Servicing Requirements.

(c) Bike lane markings will be provided as recommended by the Active Communities Steering Committee.

(d) Provision of the pedestrian bridge depicted on Schedule 1 – "NWB-1" will be subject to the timing of subsequent development phases to ensure access to the existing elementary school sites on the west and east sides of the Secondary Plan Area.

1.3.9.1 Public Transit

The Municipality will extend public transit to new developed areas as demand warrants.

1.3.10 Civic Design

(a) Careful attention shall be given to setbacks, orientation, lighting and screening to create a compatible environment with adjacent residential, neighbourhood commercial and institutional areas. Measures to minimize the impact of traffic, noise, signs and lighting shall be implemented, including adequate onsite landscaping, screening and buffering and their maintenance.

(b) The Municipality will encourage the developer to use entrance features and decorative lighting in residential plans of subdivisions and in site plans for all other development.

1.3.11 Archaeological Assessment

(a) Prior to any development, an archaeological assessment shall be completed for any lands in the Planning Area in accordance with the Provincial Policy Statement.

1.4 Phasing and Implementation Strategy

The following section discusses the phasing and regulatory requirements for implementation of the Secondary Plan.

1.4.1 Guiding Development

All policies contained in this Secondary Plan will be implemented through the powers delegated to the Municipality by provincial legislation, such as the Planning Act, R.S.O. 1990 and the Development Charges Act, and particularly by means of Zoning By-laws, Site Plan Agreements and Subdivision Approvals. Development shall be restricted to those areas in which municipal services required to meet recognized standards of urban development are available.

Full municipal services and utilities shall be required for all new development at no cost to the Municipality, subject to the provisions of the Development Charges Act such as:

i) Municipal sanitary sewers,

ii) Paved streets, curbs and gutters, sidewalks, and walkways,

iii) Municipal water supply facilities,

iv) Storm drainage facilities,

v) Underground hydro, telephone and cable TV, where feasible,

vi) Natural gas pipelines, where appropriate.

1.4.2 Official Plan

(a) The Secondary Plan shall be incorporated into the Official Plan by formal amendment and shall be subject to the same administrative and public involvement procedures as required for an Official Plan amendment.

(b) Future changes to the Secondary Plan shall be by an Official Plan Amendment, except in the case of minor adjustments to the roadways and open space or stormwater management facilities, as shown on Schedule "NWB-1" – Development Concept.

1.4.3 Zoning By-Law

(a) An amendment to the Zoning By-law will establish the residential, neighbourhood commercial institutional and open-space areas.

(b) For the purpose of interpreting zone lines, measurement will be from existing or proposed roadways. Minor adjustments to the location of zone lines can be made without amendment to the Zoning By-law.

(c) Zoning for development phases subsequent to the first phase will be subject to the "H" – Holding Symbol, the "H" to be removed once conditions described elsewhere in this secondary plan and articulated in the implementing zoning by-law have been meet.

1.4.4 Phasing Scheme

(a) The Municipality acknowledges the importance of encouraging a compact urban form and of preventing the premature removal of land from agricultural production. In this regard, the following phasing policies shall apply to the development of the planning area:

i) The first phase will be an area of up to 16 ha (40 ac.) serviced by the Orangewood Sanitary Sewer System and the area southwest of the Brown Drain capable of being serviced through the Northwest 'A' sewer system at Valencia. The actual boundary of this phase will be established in the Zoning By-law, but may be modified based on the results of the monitoring of the Orangewood/Pumping Station 11 Sewerage System and downstream system, and to address changing conditions over time.

ii) The development of subsequent phases cannot proceed until the following conditions have been meet to the satisfaction of the Municipality:

- ***The existence of capacity in the outletting sanitary sewerage system.***

(b) All lands not included in the first phase of subdivision must be contiguous with existing residential areas;

(c) The developer shall be encouraged to maintain vacant land within the planning area as productive agriculture until such time as actual construction

occurs. The premature grading of sites is discouraged.

1.4.5 Development Charges

All development shall be subject to all Development Charges By-laws for the planning area.

1.5 Summary

The Secondary Plan establishes the development pattern for a major portion of the northwest area of the former City of Chatham, and it provides policies and a phasing strategy to guide development in order to ensure a compact urban form and to prevent the premature removal of land from agricultural productivity.

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