

Official Plan

Council Adopted - February 23, 2021

County of Essex Approved - June 21, 2021

Consolidated Copy as of April 2026

Prepared by:

Planning & Building Services Department
Town of Tecumseh

TOWN OF TECUMSEH OFFICIAL PLAN
(OFFICE CONSOLIDATION)

Adopted by Town Council **February 23, 2021**
Approved by County of Essex **June 21, 2021**

This Office Consolidation, prepared in April 2026, includes all amendments up to and including Amendment No. 9, adopted by Council on March 24, 2026 and approved by the County of Essex on April 7, 2026.

LIST OF ALL AMENDMENTS SUBSEQUENT TO COUNTY APPROVAL OF OFFICIAL PLAN

CHANGES MADE TO SECTION/SCHEDULE		OPA NO.	FILE NAME/ COMMENTS	DATE OF COUNCIL ADOPTION	DATE OF COUNTY APPROVAL
	B-1	1	D19 BRIDAY Briday Residential Development South Side Dillon Drive	June 22, 2021	August 23, 2021 *Appealed to OLT (Pending)*
	B-1	2	D19 13800TEC GECDSB – New school 13800 Tecumseh Road	July 12, 2021	August 17, 2021
4.33 ii)		3	D19 HO – Home Hardware – 1613 Lesperance Road	April 26, 2022	May 17, 2022
10.8 i)		4	D19 CIPOPA – Community Improvement Policies	August 9, 2022	September 24, 2022
Multiple subsections added/revised /deleted Refer to OPA document	A B-1 C New Schedules H-1 to H-15	5	D08 TEC Official Plan Amendment No. 5 Tecumseh Hamlet Secondary Plan Results of Public Meeting and Final Recommendation	January 28, 2025	March 4, 2025
Multiple subsections added/revised /deleted Refer to OPA document	B-1 New Schedule "I"	6	L11 FE Federal Housing Accelerator Fund Initiative 3 – Residential Intensification in the Manning/Tecumseh District	March 25, 2025	April 17, 2025
8.2.2i)		7	D19 5881MAL – 5881 Malden Road	April 8, 2025	April 15, 2025

CHANGES MADE TO SECTION/SCHEDULE		OPA NO.	FILE NAME/ COMMENTS	DATE OF COUNCIL ADOPTION	DATE OF COUNTY APPROVAL
Multiple subsections added/revised /deleted Refer to OPA document	A B-2	8	D08 Oldcastle Planning Study Oldcastle Hamlet Special Planning Study Implementation	March 24, 2026	April 13, 2026
8.3 xiii)	B-1	9	D19 MRSPA OPA Parkland Redistribution in Manning Road Secondary Plan Area	March 24, 2026	April 7, 2026

Table of Contents

Table of Contents 1

Section 1 Purpose and Basis of the Plan 7

1.1 Introduction 7

1.2 Legislative Authority 7

1.3 Planning History 7

1.4 Purpose of the Plan 8

1.5 Basis of the Plan 9

1.5.1 Time Period of Plan 10

1.5.2 Municipal Profile, Existing Development Pattern, Special Studies 10

1.5.3 Forecasted Residential Demand 13

1.5.4 Forecasted Commercial and Industrial Demand 14

1.5.5 Agricultural Lands and Production 15

1.6 Organization of the Official Plan 15

Section 2 Community Structure and Growth Management 18

2.1 Community Structure 18

2.2 Growth Management Strategy 19

2.3 Planning Principles 21

Section 3 General Development Policies 24

3.1 General 24

3.2 Site Suitability 24

3.3 Minimum Distance Separation 24

3.4 Cultural Heritage and Archaeological Resources 25

3.5 Electric Power Facilities 26

3.6 Hydro One Right-Of-Way 26

3.7 Utilities and Telecommunications 27

3.8 Institutional Uses 27

3.9 Bed and Breakfast Establishments 28

3.10 Mobile Homes 29

3.11 Development Along Railways 29

3.12 Development Abutting Provincial Highways 29

3.13 Development Near Former Waste Disposal Sites 30

3.14 Energy Conservation, Climate Change and Air Quality 30

3.14.1 Mitigation 30
3.14.2 Adaptation 31
3.15 Accessibility/Universal Design 32
3.16 Crime Prevention Through Environmental Design (CPTED) 32
3.17 Urban Farming 33
3.18 Land Use Compatibility 33
3.18.1 Matters to be Assessed 34
3.18.2 Mitigation Measures 34
3.19 Human-Made Hazards 35
3.19.1 Potentially Contaminated Sites 35
3.19.2 Environmental Procedures for Potentially Contaminated Sites 35

Section 4 Land Use Policies 38

4.1 Agricultural 38
4.1.1 Goals 38
4.1.2 Policies 38
4.2 Residential 43
4.2.1 Goals 43
4.2.2 Policies 44
4.2.3 Special Residential Policies 49
4.3 General Commercial 52
4.3.1 Goals 52
4.3.2 Policies 52
4.3.3 Special General Commercial Policies 53
4.4 Main Street Mixed Use 57
4.4.1 Goals 57
4.4.2 Policies 57
4.4.3 Special Main Street Mixed Use Policies 58
4.5 Business Park 62
4.5.1 Goals 62
4.5.2 Policies 63
4.5.3 Special Business Park Policies 64
4.6 Highway Service Centre 67
4.6.1 Goals 67
4.6.2 Policies 67
4.7 Community Facility 68
4.7.1 Goals 69
4.7.2 Policies 69
4.7.3 Special Community Facility Policies 70
4.8 Recreational 71
4.8.1 Goals 71
4.8.2 Policies 71

4.9 Natural Heritage System 73
4.9.1 Goals 74
4.9.2 Policies 75
4.9.3 Natural Environment 78
4.9.4 Natural Environment Overlay 78
4.9.5 Restoration Opportunities Overlay 79
4.9.6 Aquatic and Fish Habitat 80
4.9.7 Environmental Impact Assessments 82

Section 5 Natural Resources and Hazards 84

5.1 General 84

5.2 Mineral Resources 84

5.3 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants 84

5.4 Water Resources 85
5.4.1 Source Water Protection 87
5.4.2 Watercourses 88

5.5 Natural Hazards 89
5.5.1 Limit of the Regulated Area (LORA) 91
5.5.2 Inland Floodplain Development Control Area 91
5.5.3 Lake St. Clair Shoreline Floodprone Area 93
5.5.4 Other Hazards (Unstable Soils & Steep Slopes) 96

Section 6 Land Division Policies 97

6.1 General Policies 97

6.2 Plans of Subdivision 97
6.2.1 Required Studies 98
6.2.2 Draft Approval Conditions 98
6.2.3 Development Agreement 98
6.2.4 Deeming By-law 99

6.3 Plans of Condominium 99
6.3.1 Required Studies 99
6.3.2 Draft Approval Conditions 99
6.3.3 Development Agreement and/or Site Plan Control Agreement 100
6.3.4 Condominium Conversions 100

6.4 Consent Policies 101
6.4.1 Agricultural Severances 103

Section 7 Urban Design Principles 105

7.1 General 105

7.2 Goals 105

7.3 Policies 105

Section 8 Municipal Services 110

8.1 General 110

8.2 Municipal Water and Sanitary Sewer Services 110
8.2.1 Goals 112
8.2.2 Policies 112

8.3 Storm Drainage 115

Section 9 Transportation 118

9.1 General 118
9.1.1 Transportation Objectives 118
9.1.2 General Policies 118

9.2 Complete Streets 119

9.3 Road Classification System 120

9.4 Active Transportation 124

9.5 Transit 125

Section 10 Implementation and Interpretation 127

10.1 General 127

10.2 Implementing Zoning By-Law 127

10.3 Holding Zones 127

10.4 Site Plan Control 127
10.4.1 Proposed Site Plan Control Area 127
10.4.2 Objectives 128
10.4.3 Application of Site Plan Control 128
10.4.4 Proposed Road Widening 128
10.4.5 Implementation 130

10.5 The Municipal Act, The Development Charges Act, The Community Benefits Charge 130

10.6 Delegated Authority and Advisory Committees 130
10.6.1 Committee of Adjustment 131
10.6.2 Heritage Committee 131
10.6.3 Tecumseh Accessibility Advisory Committee (TAAC) 132
10.6.4 Property Standards Committee 132
10.6.5 Cultural and Arts Advisory Committee 132
10.6.6 Senior Advisory Committee 132
10.6.7 Youth Advisory Committee 133

10.7 Plans of Subdivision 133

10.8 Community Improvement 133

10.9 Public Works and Capital Works Programs 137

10.10 Maintenance and Occupancy By-Law 137
10.11 Other Methods of Implementation 137
10.12 Existing Land Uses and Buildings 138
10.13 Non-Conforming Uses 139
10.14 Existing Lots of Record 140
10.15 Temporary Use By-Laws 140
10.16 Interim Control By-Laws 141
10.17 Interpretation 141
10.18 Amendment Procedures 141
10.19 Official Plan Review and Monitoring 142
10.20 Consultation and Application Requirements 142
10.21 Engagement and Participation 145
10.22 Indigenous Consultation 146
10.23 Municipal Coordination 146
10.24 Municipal Plan Review/One Window 147

Section 11 Secondary Plans 148

11.1 Introduction 148
11.1.1 Purpose 148
11.1.2 Relationship to Official Plan 148

11.2 Maidstone Hamlet Secondary Plan 148
11.2.1 Basis of the Plan 148
11.2.2 Maidstone Hamlet Residential Goals 155
11.2.3 Maidstone Hamlet Residential Policies 155
11.2.4 Maidstone Hamlet Residential Land Division Policies 159
11.2.5 Maidstone Hamlet Servicing Policies 159

11.3 Tecumseh Hamlet Secondary Plan 163

Part A: The Plan Context 163

11.3.1 Purpose 163
11.3.2 Secondary Plan Structure 164
11.3.3 The Study Area 165

Part B: The Secondary Plan 166

11.3.4 A Vision for change in the Hamlet 166
11.3.5 Land Use Policies 170
11.3.6 Urban Design Guidelines 183
11.3.7 Municipal Services 194

Part C: Implementation **195**

11.3.8 Making It Happen..... 195

Section 1 Purpose and Basis of the Plan

1.1 Introduction

This Plan, as approved by the County of Essex on Monday, June 21, 2021 is known as the Official Plan for the Town of Tecumseh. The following text and Schedules "A", "B", "B-1", "B-2", "B-3", "C", "D", "E-1", "E-2", "E-3", "F", "G", "H-1", "H-2", "H-3", "H-4", "H-5", "H-6", "H-7", "H-8", "H-9", "H-10", "H-11", "H-12", "H-13", "H-14","H-15", and "I", inclusive, constitute the Official Plan. The policies and land use designations described in this Plan should not be considered static and will be reviewed and altered by way of amendment, as required.

The designations and policies of this Plan are based on background research that was conducted prior to the formal adoption of this document. A major portion of this research is available in the form of a Planning Context and Issues Report dated March 2010 and 11 Discussion Papers issued between May 2013 and August 2016 along with updated population and employment projections included in the 2019 Development Charges Background Study, Town of Tecumseh August 2019.

1.2 Legislative Authority

Under Section 17 of the Planning Act, R.S.O. 1990, as amended, the Council of a municipality may provide for the preparation of a plan suitable for adoption as the Official Plan of the municipality. The following text and schedules constituting the Official Plan for the Town of Tecumseh apply to all the lands located within the Town's corporate limits.

An Official Plan is defined in the Planning Act as a document, approved by the County of Essex, containing goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the Town.

Section 24 of the Planning Act further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law passed for any purpose unless it is in conformity with the Official Plan.

1.3 Planning History

Prior to the approval of this Plan, land use planning within the Town was governed by three separate Official Plans pertaining to the three former municipalities (the former Town of Tecumseh, the former Village of St. Clair Beach and the former Township of Sandwich South) that amalgamated on January 1, 1999 to form the new Town of Tecumseh. These Official Plans reflected the land use objectives of their respective former municipalities. A

new, Town-wide Official Plan was needed to articulate a clear, cohesive vision for the amalgamated Town of Tecumseh and to reflect the new policy objectives of the Provincial Policy Statement 2020 (PPS) and the County of Essex Official Plan, 2014.

1.4 Purpose of the Plan

This Official Plan sets out, in general terms, the future pattern of development for the Town of Tecumseh for a 25-year planning horizon. The Plan's purpose is to:

i) provide direction and establish policies which will be used by Council, the Committee of Adjustment, municipal staff and other affected stakeholders when making decisions with respect to land use planning and growth in the Town while ensuring consistency with the Provincial Policy Statement and conformity with the County of Essex Official Plan;

ii) establish goals and policies that protect and enhance the quality of life and quality of place of the Town, while promoting a healthy, livable and complete community, wise use of its natural resources, community services, infrastructure, and a strong economy and addressing climate change mitigation and adaptation;

iii) enhance the Town as a desirable place for living, working and playing by creating a healthy, safe, attractive and vibrant community;

iv) establish a land use pattern that ensures a basic compatibility between and among the Town's various land uses;

v) direct all future non-agriculture development to locate within designated urban areas, where a full range of municipal infrastructure and community facilities and services can be provided in an economically and environmentally sound manner which is sustainable over the long term;

vi) ensure that good agricultural land is preserved and enhanced for agricultural use;

vii) protect and enhance cultural heritage and natural heritage landscapes and resources;

viii) to establish a policy framework for climate change mitigation and adaptation;

ix) identify the present level of services available within the Town and identify expansion or extensions required to facilitate future development;

x) encourage the provision of a broad range of housing forms, tenures, and sizes to meet the needs of all households, including households of low income levels;

xi) establish and maintain a transportation network that is capable of providing for the safe, efficient, accessible and convenient movement of people and goods and offers viable transportation choices through the provision of a balanced transportation system that includes active transportation facilities;

xii) improve accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society;

xiii) ensure that future development does not place an unnecessary financial burden on existing ratepayers, occurs at a pace that is within the financial capability of the Town, and is financially sustainable over time;

xiv) maintain a strong and vibrant local economy which is able to generate a broad range of employment opportunities;

xv) inform the general public and the private sector of the type and standard of development that will be permitted within the Town in the future;

xvi) establish a framework for public involvement, including Indigenous communities, in the implementation and review of the Official Plan's goals and policies;

xvii) provide for the necessary capital works programs and municipal legislation to implement the Official Plan’s goals; and

xviii) provide a frame of reference for future detailed studies which may be undertaken when considered necessary by Council.

1.5 Basis of the Plan

The policies contained in this Plan are based on the research and analysis phase of the Official Plan Review as well as consultations and meetings that have taken place with representatives from various provincial ministries, the County of Essex, the Essex Region Conservation Authority and other local agencies. The research and analysis phase included the preparation of a document titled Planning Context and Issues Report, March 2010. This report was issued for public and government agency review and a public consultation process. Subsequently, the following 11 Discussion Papers were prepared and made available for review:

- Employment Lands, May 2013

- Growth Management / Urban Structure, July 2014
- Agricultural and Rural Issues, September 2014
- Community Improvement Planning, October 2014
- Housing and Residential Intensification, March 2015
- Urban Design, April 2015
- Commercial Development, June 2015
- Natural Heritage, December 2015
- Transportation, June 2016
- Parks and Open Space, July 2016
- Sustainability, August 2016

Open Houses were held at the beginning of the Official Plan review process and subsequent to the release of the final discussion paper. These open houses provided an opportunity for consultation, deliberation, sharing of ideas and articulation of a desired policy direction for the future. The Discussion Papers and the related public consultation process provided guidance toward the development of this Official Plan. The assumptions and conclusions that have been used to formulate the goals and policies of the Official Plan will be reviewed over time and, if necessary, amended by Council.

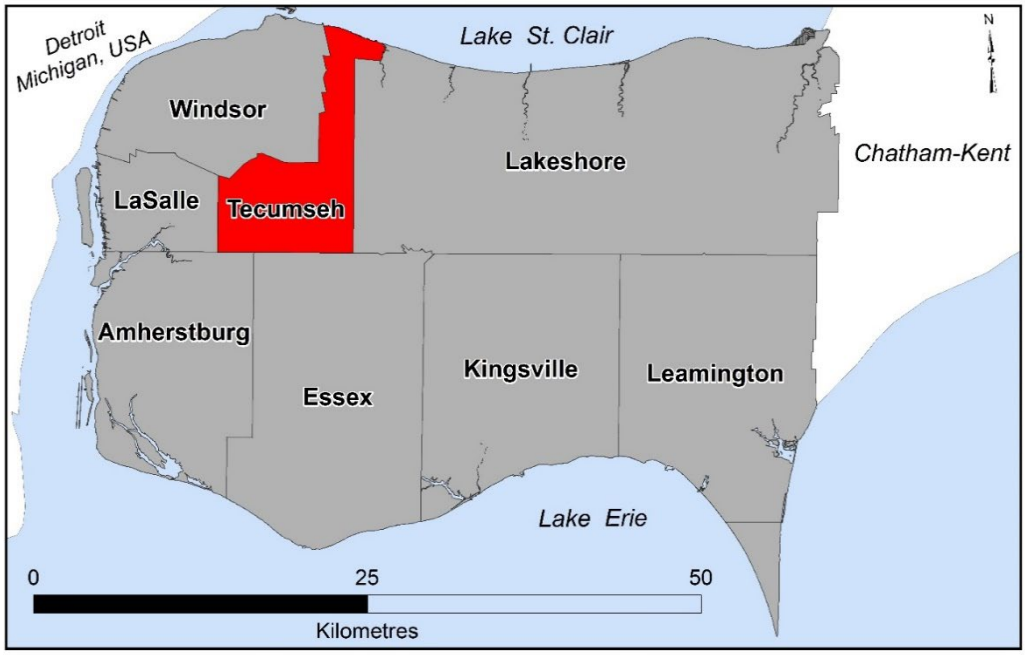
1.5.1 Time Period of Plan

This Plan provides direction for the Town over approximately the next 25 years to 2045. Council will review this Plan at least once every ten years to ensure that the policies and land use designations contained herein remain relevant to the Town's circumstances.

1.5.2 Municipal Profile, Existing Development Pattern, Special Studies

The Town of Tecumseh, located in the northwest corner of Essex County, extending south from Lake St. Clair to County Road 8, which bisects the County in an east-west direction has a combination of both urban and rural characteristics. The Town's current irregular shape is a function of a County-wide restructuring process which first resulted in the amalgamation of the former Town of Tecumseh, the former Village of St. Clair Beach and the former Township of Sandwich South into the Town of Tecumseh effective January 1, 1999. Subsequently, 2630 hectares of land were transferred from the Town to the City of Windsor, effective January 1, 2003, resulting in the Town having a total land area of 9470 hectares. The Town's municipal boundary is shared with five other municipalities: the Municipality of

Lakeshore, the Towns of Essex, Amherstburg, LaSalle, and the City of Windsor.



The Town continues to enjoy a distinct small town ambiance that includes a diversity of residential neighbourhoods, commercial services and parks; a vibrant industrial sector; and a strong agricultural landscape and rural character. The Town's identity is strong, notwithstanding its location adjacent to the City of Windsor and the rapidly urbanizing communities of the Town of LaSalle and Municipality of Lakeshore.

A majority of the Town's population and urban uses are distributed among three physically separate and distinct settlement areas:

i. Tecumseh North Settlement Area

This settlement area, situated in the northerly portion of the Town on the south shore of Lake St. Clair, comprises the former Town of Tecumseh, former Village of St. Clair Beach and former Tecumseh Hamlet. This is the main and most diversified settlement area of the Town. It is where a majority of the housing is located along with a number of employment and commercial areas, recreational facilities, parks, trails, schools and community facilities. Opportunities for residential and commercial intensification continue to exist in this settlement area, particularly north of County Road 22.

Significant growth is projected within two greenfield areas in the former Tecumseh Hamlet which is located south of County Road 22. The first greenfield area is located in the northeast quadrant of the former Hamlet and is delineated by County Road 22 to the north, Manning Road to the east, CP Railway to the south and the existing built up area to the west. These lands

were designated for urban development under the previous official plan in accordance with the Manning Road Secondary Planning Area Study prepared in the 1990s. Although referred to as a secondary plan, it was never adopted by Council under the Planning Act but it was used to guide the designation of these lands in the former Official Plan. These lands continue to be designated for urban development in this Official Plan.

The second greenfield area is primarily located along Banwell Road in the western part of the Hamlet with a smaller portion along Manning Road south of the CP Railway in the eastern part of the Hamlet. This greenfield area is subject to the policies in the Tecumseh Hamlet Secondary Plan that was adopted by Council in January 2025, and as noted in Section 11.3. Future development on greenfield sites will be in accordance with the Tecumseh Hamlet Secondary Plan land use designations and policies contained in this Plan.

ii. Oldcastle Hamlet Settlement Area

This settlement area is situated in the southwesterly portion of the Town adjacent to the southerly boundary of the City of Windsor (formerly a hamlet in the Township of Sandwich South). Over the past 50 years, it has evolved from a small agriculture-related hamlet to become an area characterized by a predominance of employment uses, primarily of a light industrial nature. It also includes commercial and service-related uses and a number of residential clusters, recreational areas, trails and institutional uses.

The Official Plan includes an expansion to the Oldcastle Hamlet Settlement Area of approximately 57 hectares for employment lands easterly along Highway 401. This expansion is consistent with the Primary Settlement Area expansion included in the County of Essex Official Plan.

By way of Official Plan Amendment No. 8, lands that had been designated Future Development in the Hamlet have been redesignated to Residential, General Commercial, and Business Park. In addition, several site-specific policies have been added to the Official Plan. These changes resulted from the Town's Oldcastle Hamlet Special Planning Study that concluded in early 2026.

iii. Maidstone Hamlet Settlement Area

This settlement area, situated in the southeasterly portion of the Town in the vicinity of County Roads 19 and 34, comprises Maidstone Hamlet (formerly a hamlet in the Township of Sandwich South). It is a largely rural hamlet characterized by a single tier of housing that fronts both sides of County Road 34 and Malden Road. In addition, there are a number of institutional uses including a school, along with a park that contains a number of community amenities that serve the broader agricultural community. Future development on greenfield sites will be in accordance with the Maidstone Hamlet Settlement Area Secondary Plan land use designations and policies

contained in this Plan.

1.5.3 Forecasted Residential Demand

i. Population Forecasts

Based on population forecasts in the County of Essex Official Plan, the Town of Tecumseh's anticipated increase in population is approximately 6,530 people over a 20-year planning period from 2011 to 2031, accounting for 19% of the County's growth.

The County of Essex projections were further analyzed and validated by way of the Town's 2019 Development Charges Background Study as part of its preparation of the 2019 Development Charges By-law. These projections use the growth rates from the County projections and validated a 20-year population increase of 6,880 people with a total population of 30,330 by 2040.

The growth rate that was used for the 20-year planning horizon in the Development Charges Background Study was applied to project an additional five years of population growth resulting in a 25-year population increase of 8,600 people and a total population of 32,050 by 2045.

The Town acknowledges that the County is initiating a review of its Official Plan which will include updates to regional population projections and an allocation of growth to the seven lower tier municipalities comprising the County. Once the County's Official Plan update is approved, the population forecasts in the Town's Official Plan will be re-evaluated and amended if necessary.

ii. Housing Demand Forecasts

The foregoing total population forecast of approximately 8,600 people by 2045 translates into a demand for an additional 4,377 housing units during the planning period. Demographic, economic and migration factors which affect demand for housing should be reviewed periodically and, if necessary, these forecasts should be revised and updated.

In order to meet the existing and anticipated future needs of a growing senior population with smaller household sizes, a more diverse range of housing types, tenures and sizes will be required by the municipality. The housing mix is anticipated to comprise approximately 70% single detached and semi-detached, 17% multiples except apartments and 13% bachelor, one-bedroom and two-bedroom apartments. A portion of this housing mix is anticipated to be accommodated through intensification projects including the provision of additional residential units within single, semi-detached and townhouse dwellings.

1.5.4 Forecasted Commercial and Industrial Demand

Over the last three decades the Town has been able to attract and maintain a healthy and diverse industrial sector. The approximate 316 hectares of existing developed industrial land town-wide has created thousands of employment opportunities for the residents of the Windsor-Essex County Region as a whole, and has contributed significantly to the tax base of the Town, the County of Essex, and the County School Boards.

Based on the employment growth projections identified in the County of Essex Official Plan, employment in the Town is anticipated to increase by 3,310 between 2006 – 2031, representing 24.4% of the County's overall growth.

The large proportion of job growth forecast for Tecumseh is based on its proximity to the City of Windsor and the international border crossing, transportation infrastructure, supply of employment land, forecast population growth and existing employment base. The presence of a skilled labour force capable of producing a high quality product at competitive prices is another important factor that has kept the Town's industrial sector globally competitive. The tool and die and mold makers from the Town and the Windsor-Essex County Region have been recognized as being world leaders in their industry.

The County of Essex projections were further analyzed and validated by way of the Town's 2019 Development Charges Background Study as part of its preparation of the 2019 Development Charges By-law. These projections use the growth rates from the County projections and validated updated projections of 2,760 jobs to be added over the 20-year planning period to 2040. As with the population projections, the growth rate that was used for the 20-year planning horizon in the Development Charges Background Study was applied to project an additional five years of employment growth resulting in an increase of 3,450 jobs over the 25-year planning period to 2045.

The Town acknowledges that the County is initiating a review of its Official Plan which will include updates to regional employment projections and an allocation of that growth to the seven lower tier municipalities comprising the County. Once the County's Official Plan update is approved, the employment forecasts in the Town's Official Plan will be re-evaluated and amended, if necessary.

The *Employment Lands Discussion Paper* included analysis that supported a 57-hectare (141 acre) expansion to the Oldcastle Hamlet for employment land purposes. The lands identified for this expansion are included in this Plan and are delineated by King's Highway 401 to the north, the 9th Concession Road to the east and the former Canada Southern Railway line to the south. This expansion was approved by the County of Essex and incorporated into the County of Essex Official Plan in 2014. This 57-hectare

area, along with existing vacant lands within the Town's three employment land areas, are intended to address the employment land needs for the Town of Tecumseh over the 25-year planning horizon of the Town's new Official Plan.

1.5.5 Agricultural Lands and Production

It is expected that agriculture will remain one of the Town's primary activities and that the present level of land under agricultural production will remain approximately the same or reduce slightly as non-agricultural development proceeds within the expanded urban area boundaries. Agricultural industry analysts suggest a continuation of the present trend towards fewer farmers owning larger or a greater number of farms and requiring even less labour because of increased mechanization. Based on existing soil and drainage characteristics, cash-crop farming will likely continue to be the preferred agricultural activity Town-wide. However, as market conditions, farm practices, farm products (including cannabis) and technological improvements change over time, more intensive and diverse forms of agricultural uses will likely evolve in the coming decades. This Plan contains goals and policies that recognize these changing conditions.

Based on the Town's residential and non-residential growth forecasts, the Town has an adequate supply of land for future urban growth. It is therefore important for the Town and County to protect its remaining farmland for agricultural purposes given its value and significance.

The challenges for the Town are more focused on establishing a policy environment that addresses the strategic directions of the Provincial Policy Statement 2020, County of Essex Official Plan and the finding(s) of the County's Agricultural Lot Study while establishing an appropriate balance between encouraging diversification of the agricultural sector through the promotion of secondary and value-added businesses and protecting the valuable agricultural resource. The policies pertaining to on-farm diversified and secondary uses and minimum farm lot size in this Plan reflect that balance.

1.6 Organization of the Official Plan

In preparing the new Official Plan for the Town of Tecumseh, the Provincial Policy Statement, 2020 and updates to the *Planning Act* are reflected along with the results of other supporting planning documents and related background studies completed since amalgamation.

This Plan has several interrelated components, which must be read together in order to determine those components and policies that have an impact on land within the Town of Tecumseh. The goals, objectives, and policies of the Plan represent a balanced approach to planning, designed to promote the vital link between community, economy and environment.

All sections and schedules of the Plan, excluding any Appendices, constitute the Official Plan for the Town of Tecumseh. The Plan is organized into the following sections:

Section 1: Purpose and Basis of the Plan

Section 2: Community Structure and Growth Management

Section 3: General Development Policies

Section 4: Land Use Policies

Section 5: Natural Resources and Hazards

Section 6: Land Division Policies

Section 7: Urban Design Principles

Section 8: Municipal Services

Section 9: Transportation

Section 10: Implementation and Interpretation

Section 11: Secondary Plans

Schedules: The Schedules included at the end of the Plan form part of the Plan and describe the policies and enhance the understanding of the Plan. The Schedules include:

Schedule “A”: Community Structure Plan

Schedule “B” Land Use Plan

Schedule “B-1” Tecumseh North Settlement Area Land Use Plan

Schedule “B-2” Oldcastle Hamlet Settlement Area Land Use Plan

Schedule “B-3” Maidstone Hamlet Settlement Area Land Use Plan

Schedule “C” Natural Heritage System

Schedule “D” Natural Hazards

Schedule “E-1” Road Classification

Schedule “E-2” Active Transportation Network

Schedule “E-3” Maidstone Hamlet Settlement Area Road Classification

Schedule “F” Natural Resources

Schedule “G” Intake Protection Zones

Schedule “H-1” THSPA

Schedule “H-2” Structure Plan

Schedule “H-3” Road Hierarchy

Schedule “H-4” Planned Right Of Way Width

Schedule “H-5” Cross Section – 20M ROW – Typical

Schedule “H-6” Cross Section – 23M ROW – Typical

Schedule “H-7” Cross Section – 23M ROW – Special Design #1

Schedule “H-8” Cross Section – 23M ROW – Special Design #2

Schedule “H-9” Cross Section – 23M ROW – Special Design #3

Schedule “H-10” Land Use Plan

Schedule “H-11” Open Space Framework

Schedule “H-12” Major Infrastructure Corridors

Schedule “H-13” Pedestrian Network

Schedule “H-14” Cycling Network

Schedule “H-15” Transit

Schedule “I” Tecumseh Road/Manning Road Mixed-Use District

Section 2 Community Structure and Growth Management

2.1 Community Structure

It is the intent of this Plan to ensure that development takes place in an orderly and sustainable fashion. The Town of Tecumseh's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting economic growth within a well-defined community structure. The community structure is the physical framework that binds the municipality together while having regard to the relationship and influence created by land uses in adjacent municipalities. Given the unique shape of the Town and the distance between its settlement areas, land use is also influenced by the built form of adjacent municipalities.

Ultimately, the community structure provides the physical context for future developments and ongoing changes in existing developed areas. The various components of the urban structure and their means of interaction are an important determinant in how one defines and relates to the community as a place to live, work and play. Ultimately, the Community Structure provides the basis for the establishment of land use designations within the Town. Generally, urban structure comprises three fundamental elements which take into account existing and proposed future features:

- **Points** or relatively tight **Clusters** of common uses/features;
- **Lines** include man-made movement corridors such as the road network, highways and rail linkages and natural movement corridors such as creeks or hedgerows; and
- **Surfaces** that have some level of commonality and are situated between the points and lines.

The Town's community structure is identified on Schedule A: Community Structure and comprises the following elements:

- **Points and Clusters** which include:
    - the Tecumseh Road Main Street CIP Area;
    - the Tecumseh Road/Manning Road Mixed-Use District;
    - the Sylvestre Business Park,
    - the Oldcastle Business Park;
    - the Ciociaro Club;

- St. Mary's Roman Catholic Church/Community Hall/Elementary School/Park Area in Maidstone Hamlet
- McAuliffe Woods Conservation Area and Park;
- Lakewood Park North and South;
- Beach Grove Golf and Country Club; and
- Various Smaller Commercial Nodes throughout the Town.

- **Lines** which include:
  - Provincial Highways 401 and 3 and the Major Roadways, including the future Lauzon Extension;
  - the Chrysler Canada Greenway – Existing and Potential Future (former CASO Railway);
  - the Hydro One Linear Facilities;
  - the VIA and CN Railways; and
  - Natural Linkages (main creek corridors associated with the upper reaches of the Canard River and the Pike Creek).

- **Surfaces** which include:
  - Residential Neighbourhoods; and
  - Agricultural and Natural Areas.

2.2 Growth Management Strategy

It is anticipated that the Town may grow to a population of up to 47,755 residents, with an objective of 23,430 jobs at full build out. However, growth in Tecumseh (and in the broader Windsor-Essex Region) over the past number of years has been modest, notwithstanding that significant development in the Town's greenfield areas within the former Tecumseh Hamlet has been anticipated for quite some time.

The Town has lands available for significant development potential, including both greenfield and infill opportunities. One of the main drivers of where this development will take place will be the capacity of the transportation network, the availability of municipal piped water and municipal sanitary sewers and treatment capacity, as well as the provision of appropriate stormwater management facilities. In greenfield areas, stormwater management facilities are to be regional in nature in order to limit their number.

The specific location of new development will depend on strategic decisions by the Town on key infrastructure investments along with developer willingness to proceed. The Town will work with the development community to ensure public and private investment in infrastructure improvements and that they proceed in accordance with the various Master Plans, including the Town's Asset Management Plan, in effect. The Growth Management Strategy is predicated on the following:

i) the Urban Areas shall be the focus of growth and public/private investment and all significant development shall be within the Urban Areas;

ii) the Town shall strive to maintain a supply of residentially designated lands that exceeds the ten-year demand;

iii) growth opportunities in the Town over the next 25 years, subject to the provision of municipal services, will include:

a. new Residential Neighbourhoods in the greenfield areas of:

- the Tecumseh North Settlement Area, which includes currently designated residential lands in the area described as the Manning Road Secondary Plan Area as well as currently designated residential lands in the Tecumseh Hamlet Secondary Plan;
- the Oldcastle Hamlet, which includes currently designated residential lands; and
- Maidstone Hamlet, which includes currently designated residential lands;

b. higher density residential dwelling units and commercial uses within the Tecumseh Road Community Improvement Plan Area and the Tecumseh Road/Manning Road Mixed-Use District;

c. new infill and other forms of intensified housing located within the existing Residential Neighbourhoods, including Additional Residential Units;

d. new employment uses in designated employment lands, including the 57 hectare expansion of the Business Park designation extending easterly along King's Highway 401 as an expansion to the Oldcastle Hamlet Settlement Area; and

e. new diversified rural employment opportunities within the Agricultural Area; and

iv) population and job targets align with those established in the County of Essex Official Plan. The Provincial Policy Statement, the County of

Essex Official Plan and this Plan provide a guiding policy framework for the review and assessment of applications for development on an application by application basis. Development phasing and the corresponding approval of development applications will be considered on the basis of the ability of the Town, the County, land developers, and development charge related revenue to pay for infrastructure development costs, as required, and through the application of the principles contained in subsection 2.3 of this Plan.

2.3 Planning Principles

The long-term prosperity and social well-being of the Town depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan are based on the following planning principles:

i) to direct urban development to settlement areas where a broad range of community and commercial facilities, services, housing and employment opportunities are available;

ii) to preclude new urban type development outside of designated settlement areas;

iii) to create more mixed-use, compact, pedestrian-oriented development within designated and fully serviced settlement areas;

iv) to provide a broad range of housing, employment and leisure opportunities for a growing and aging population in a sustainable manner;

v) to promote opportunities for intensification and redevelopment within built-up areas that are supported by adequate infrastructure and public service facilities;

vi) to promote and protect town centres and main streets as focal points for civic, commercial, entertainment and cultural activities where a broad range of employment, housing, civic, shopping and leisure activities are available in a compact, attractive, pedestrian-scale, safe and welcoming environment;

vii) to promote economic development and competitiveness by planning for and protecting existing employment areas and their expansion;

viii) to protect prime agricultural areas for agricultural, agricultural-related and on-farm diversified uses;

ix) to protect and encourage the restoration and enhancement of remaining natural heritage features and other natural resources and, where possible, to enhance and expand them by exploring

opportunities for linkages through innovative means that may include public/private partnerships;

x) to link wildlife habitat and natural areas to each other, human settlements to other human settlements and people to nature;

xi) to protect and enhance the quality and quantity of ground and surface water and the function of sensitive ground water recharge/discharge areas;

xii) to protect the quality of human sources of drinking water through the consideration of the Clean Water Act and associated Source Water Protection efforts;

xiii) to encourage cultural heritage preservation and restoration efforts;

xiv) to develop an accessible, sustainable, interconnected and multi-modal transportation infrastructure system that supports walking, cycling, transit and private vehicles;

xv) to provide cost effective, sustainable and environmentally sound municipal services that promote energy efficiency, reuse and recycling;

xvi) to buffer sensitive land uses from those land uses that would have an adverse effect;

xvii) to direct development away from natural and manmade hazard areas;

xviii) to ensure development is in accordance with long term servicing strategies for sanitary sewage treatment, the provision of potable water and storm water management;

xix) to encourage energy efficient designs and the adoption and use of alternative and renewable energy sources;

xx) to ensure cooperative inter-municipal consultation and coordination in the provision of joint services and the review and staging of development and associated infrastructure improvements;

xxi) to ensure that development and infrastructure, both public and private, is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the Town are accessible for everyone;

xxii) to address Climate Change implications, both mitigation and adaptation, in reviewing development proposals and public sector initiatives; and

xxiii) to encourage the development of an equitable, diverse and inclusionary community that meets the needs of all its citizens through broad-based stakeholder engagement and the provision of appropriate physical and social infrastructure.

Section 3 General Development Policies

The policies in this section apply to development proposals in all designations shown on Schedules “B”, “B-1”, “B-2”, “B-3”, “C”, “D”, “H-10”, and “I” of this Plan. Many of the policies contained in this section are included at the request of Provincial Ministries and Agencies and are required to be consistent with the current Provincial Policy Statement and conform to the County of Essex Official Plan.

3.1 General

Adequate safeguards, in the form of planning policies and regulations, will be maintained to ensure that new uses are developed in harmony with existing uses and that they are properly serviced.

Provincial, County and/or local agency consultation shall be undertaken where mandated and/or appropriate. In the event of a conflict between a policy of the Provincial Policy Statement or the County of Essex Official Plan and any policy of this Plan, the Provincial Policy Statement and/or the County of Essex Official Plan policy shall prevail.

3.2 Site Suitability

Prior to the approval of any development or amendment to this Plan or the Zoning By-law, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that:

i) soil and drainage conditions are suitable to permit the proper siting of buildings;

ii) the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development;

iii) the road system is adequate to accommodate projected increases in traffic;

iv) the land fronts on a public road which is of a reasonable standard of construction; and

v) adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any existing or proposed adjacent use.

3.3 Minimum Distance Separation

Because livestock operations may pose compatibility problems if located too closely to other types of land uses, the Zoning By-law will ensure that a

buffer area is maintained between the uses in all designations.

To achieve this objective, the location of new and the expansion of existing livestock operations shall comply with the Minimum Distance Separation (MDS) II. To ensure that the Minimum Distance Separation (MDS) is used reciprocally, livestock operations will also be protected from encroachment by residential and other types of uses in the Zoning By-law through the use of the Minimum Distance Separation (MDS) I.

3.4 Cultural Heritage and Archaeological Resources

It is the policy of this Plan to encourage the restoration, protection and maintenance of the Town's heritage resources which include buildings and structures, and landscapes of historical and/or architectural value.

All new development or redevelopment permitted by the policies and designations of this Plan shall, as far as possible, have regard to heritage resources. It shall be the policy of the Town to use all relevant legislation and programs whenever possible to encourage the preservation and enhancement of heritage resources and to develop a greater awareness of the value of heritage conservation in the community. When appropriate and necessary, the Town will use the provisions of the Ontario Heritage Act to conserve, protect and enhance the Town's heritage.

The Town may establish a Local Architectural Conservation Advisory Committee (LACAC) pursuant to the Ontario Heritage Act, for the purposes of identifying locally significant heritage resources, designating heritage resources under Parts IV and V of the Ontario Heritage Act, advising the municipality on matters related to heritage conservation, and assisting in the conservation of these resources.

The Town may require a Heritage Impact Assessment based on policy requirements from the Ontario Heritage Act and the Provincial Policy Statement. The Heritage Impact Assessment shall be required for any proposed alteration, construction, or development involving or adjacent to a designated heritage resource to demonstrate that the heritage property and its heritage attributes are not adversely affected. Mitigation measures and/or alternative development approaches shall be required as part of the approval conditions to ameliorate any potential adverse impacts that may be caused to the designated heritage resources and their heritage attributes.

The Town recognizes the importance of its archaeological resources and in managing them in a responsible manner. Council shall ensure that development on lands containing significant archaeological resources shall avoid the destruction or alteration of these resources. Where this is not possible, significant archaeological resources shall be conserved through removal and documentation in advance of land disturbances, and in accordance with archaeological licensing provisions of the Ontario Heritage

Act.

The Town shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources. The Town shall consult with Indigenous communities when developing and implementing an Archaeological Management Plan or Cultural Heritage Plan.

3.5 Electric Power Facilities

In accordance with Section 62 of the Planning Act, R.S.O. 1990, any electric power facility use of lands, buildings or structures by Hydro One Inc. or Ontario Power Generation Inc. that satisfies the Environmental Assessment Act shall be exempt from the policies of this Plan and the provisions of the Town's Zoning By-law. However, any executive, administrative and retail use of lands, buildings or structures by Hydro One Inc. or Ontario Power Generation Inc. that is not subject to approval under the Environmental Assessment Act, shall comply with the policies of this Plan and the provisions of the Zoning By-law.

Other electric power facilities, including buildings and facilities not used directly for the generation, supply or distribution of electric power (such as administrative or retail offices), shall conform to the relevant policies of this Plan and the provisions of the implementing Zoning By-law for the zone in which they are located.

The above policies, however, do not preclude the Town's right to participate in discussions on the location of new power facilities, within the context of the PPS. Wherever practical, single footing narrow base tower construction and existing rights-of-way should be used for new electrical power transmission lines. Secondary land uses may also be permitted on utility company lands where deemed by Council to be compatible with adjacent land uses and the principal function of the property.

3.6 Hydro One Right-Of-Way

Within the urban designated areas of the Town, the Hydro One Inc. right-of-way is depicted on Schedules "B-1", "B-3", "H-10", and "H-11" of this Plan, and is designated "Hydro Right-of-Way" and "Hydro Corridor". These lands shall only be used for transmission lines, pipelines, recreational uses and stormwater management facilities that do not conflict with the use of this corridor for transmission line purposes. Permitted recreational uses (such as walking trails, bicycle paths, and other parkland uses) and stormwater management facilities within this corridor will only be allowed once written approvals have been obtained from both Hydro One Inc. and the Town.

3.7 Utilities and Telecommunications

The following is the policy of the Town:

i) all existing facilities and the development of any new facilities associated with a public utility, a telephone, television, cable transmission or other similar communications company, or a gas distribution or transmission company, shall be permitted in any land use designation;

ii) existing communication and transmission corridors and networks will be protected and enhanced;

iii) the Town will work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community;

iv) the Town will promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses. Additionally, the Town will support the use of corridors for transportation and trail uses;

v) public and private utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances or within appropriate easements;

vi) the Town will ensure that adequate utility networks are, or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient;

vii) the Town will ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its environment;

viii) the Town will support the coordinated planning and installation of utilities in common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights-of-way; and

ix) all buildings and facilities not used directly for the transmission or reception of an electrical current or signal, a liquid or gas or similar substance, shall conform to the other provisions of this Plan and the Zoning By-law.

3.8 Institutional Uses

Existing schools, churches and community halls associated with churches and all other existing community facilities located outside the Agricultural designation are designated Community Facility in this Plan, and shall be

zoned accordingly in the implementing Zoning By-law. Existing institutional uses located within the Agricultural designation will be zoned appropriately in the Town's Zoning By-law.

The development of new institutional uses such as schools and churches shall only be permitted within the Community Facility designation. On those lands designated Agricultural, expansions to existing institutional uses may be permitted, without an amendment to this Plan, subject to the following policies:

i) adequate precautions shall be taken to ensure that the proposed expansion does not have adverse effects on adjacent land uses;

ii) adequate parking, vehicular access, landscaping, tree planting, buffering and site and building design shall be required where necessary to create an attractive appearance and ensure compatibility with surrounding land uses;

iii) suitable arrangements will be made for water supply, sewage disposal, storm drainage and all other similar services; and

iv) the Zoning By-law is amended to permit the proposed expansion.

3.9 Bed and Breakfast Establishments

Bed and Breakfast establishments are permitted in single-detached dwellings, subject to a Zoning By-law amendment. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of a Bed and Breakfast establishment:

i) the owner and operator resides in the building;

ii) the property has access from a public road;

iii) the Zoning By-law limits the number of guest rooms and sets standards for parking, landscaping and buffering;

iv) no other commercial operation, such as a restaurant, is permitted and food preparation is for guests only;

v) the requirements of the Ontario Building Code; and

vi) signage for all Bed and Breakfast establishments will meet the requirements of the Sign By-law.

3.10 Mobile Homes

Mobile homes shall not be permitted in the Town except for the accommodation of seasonal farm labourers and as garden suites in accordance with the policies of Sections 4.1.2 and 10.15 of this Plan. Mobile homes used for the accommodation of seasonal farm labourers shall be listed as permitted uses in the Agricultural zone.

3.11 Development Along Railways

Prior to their approval, applications for Official Plan amendments, Zoning By-law amendments, plans of subdivision or condominium or any development that is subject to site plan control on lands that are within 300 metres of a rail right-of-way shall be circulated to the appropriate rail company for comments with regard to the recommended noise, vibration and impact mitigation measures. A study may have to be undertaken to analyze noise, vibration and/or safety and to recommend abatement measures necessary to achieve the noise level limits set by the Ministry of Environment, Conservation and Parks (MCEP).

Generally, lands within 300 metres of rail rights-of-way are considered noise sensitive areas and lands within 100 metres of rail rights-of-way are considered vibration sensitive areas. All lands abutting rail rights-of-way are considered safety sensitive areas and setbacks, berming, fencing and other measures may be required to the satisfaction of the municipality in consultation with the appropriate rail company. When considering development applications for lands in proximity to rail rights-of-way, the Town shall have regard to the Guidelines for New Development in Proximity to Railway Operations.

3.12 Development Abutting Provincial Highways

King's Highways 3 and 401 are provincial highways within the Town of Tecumseh. All development which falls within the Ministry of Transportation's (MTO) permit control areas under the Public Transportation and Highway Improvement Act is subject to the requirements of the MTO. New entrances or the upgrading of entrances and the location of buildings, signs and encroachments within the MTO's permit control area of a provincial highway (within 800 metres) shall be subject to the approval of the MTO.

The Town and the MTO will work cooperatively with respect to the planning of land development and associated access connections within the MTO's permit control area adjacent to all provincial highways within the Town, in order to protect for the future safety, operation and capacity of both the provincial highway network and the Town's transportation corridors for the movement of people and goods.

3.13 Development Near Former Waste Disposal Sites

Schedules ‘B-1' and ‘B-2’ identify the location of all known active or former waste disposal sites (as of date of approval of this Plan) within the Town of Tecumseh and/or in adjoining municipalities within 500 metres of the Town. Proponents of development, within 500 metres of an existing or closed waste disposal site, shall prepare a report, to the satisfaction of the Town, in accordance with the MECP guidelines, that demonstrates that there is no evidence of leachate, methane gas migration or other contaminants present in the soils or groundwater. Development will be restricted if the active or former waste disposal site has any adverse environmental effects or risk to public health and safety.

Where development is located or proposed on a waste disposal site, no Official Plan amendment, Zoning By-law amendment, or building permit will be adopted or granted until approval from the MECP is obtained in accordance with the Environmental Protection Act.

3.14 Energy Conservation, Climate Change and Air Quality

Climate change and air pollution impacts are caused primarily by burning fossil fuels, resulting in the emission of greenhouse gases and air pollutants. These impacts can be reduced through sustainable, effective and efficient land use and transportation policies that guide the development review process and the preparation of secondary plans, master plans, and local comprehensive reviews. In order to achieve a sustainable community, and human and ecosystem health, climate change and air pollution must be addressed.

3.14.1 Mitigation

The Town will work to improve air quality and energy efficiency, to reduce greenhouse gas and fuel emissions, and to mitigate climate change by:

i) maintaining the settlement area boundaries and striving for a compact built form within these areas;

ii) promoting mixed use development to encourage active transportation and the use of transit;

iii) locating intensification in areas which are served by existing or planned transit;

iv) promoting and encouraging modal shift towards transit and active transportation, using tools such as transportation demand management;

v) addressing parking management, primarily through the Zoning By-law, that does not undermine transit and active modes of transportation;

vi) maintaining, restoring and enhancing the Natural Heritage System;

vii) protecting, enhancing and expanding the urban forest, including street trees, by encouraging the planting of native or non-native non-invasive tree species and vegetation that are resilient to climate change and provide high levels of carbon sequestration, particularly through new development and on municipally-owned land. Given the importance of existing mature trees to the urban forest, Council may consider the development of a Tree Preservation Plan;

viii) encouraging energy generation from renewable sources;

ix) encouraging sustainable, energy efficient and low carbon buildings;

x) addressing air quality impacts through land use compatibility policies;

xi) developing and implementing, in conjunction with other local municipalities in the County of Essex and the Essex Region Conservation Authority, a Regional Energy Plan with energy conservation measures and carbon reduction targets;

xii) developing and implementing a Corporate Climate Action Plan;

xiii) supporting local agriculture and food production;

xiv) promoting water conservation and efficient use of water to reduce demand for municipal water and wastewater treatment and associated energy consumption;

xv) advancing environmentally responsible outdoor lighting and retrofits that reduce energy usage, light pollution and glare, to restore unobscured views of the night sky, while maintaining sufficient light levels for a safe built environment; and

xvi) focus freight-intensive land uses to areas well served by major highways, rail facilities and airports.

3.14.2 Adaptation

The Town will work to adapt to the impacts of climate change in order to minimize its vulnerability and build resiliency by:

i) increasing the proportion of permeable surfaces to reduce flood risk and strain on sanitary sewer and stormwater infrastructure;

ii) promoting tree planting and innovative green spaces, such as green roofs, in new and existing development;

iii) promoting the installation of artificial shade, such as covered walkways, awnings and canopies, in appropriate locations;

iv) promoting landscaping that protects buildings and infrastructure from the effects of excessive wind and sun;

v) protecting public safety and collaborating with the County of Essex and local municipalities on Emergency Management coordination;

vi) undertaking infrastructure planning that prepares for a changing climate in connection with the municipal asset management plan;

vii) developing and implementing a Corporate Climate Action Plan; and

viii) finalizing and implementing the Town's Shoreline Management Plan and updating floodplain mapping in coordination with the Essex Region Conservation Authority.

3.15 Accessibility/Universal Design

Development will be consistent with the standards and regulations of the Accessibility for Ontarians with Disabilities Act, 2005, and the Ontario Building Code. Development applications will be reviewed ensuring that accessibility for persons with disabilities and the elderly will be improved and by removing land use barriers which restrict their full participation with the community.

Accessible features will be well-integrated within the function and design of sites and continuous barrier-free access will be provided to buildings and features from public sidewalks and parking areas.

3.16 Crime Prevention Through Environmental Design (CPTED)

Site development and public realm projects will incorporate crime prevention design standards such as the principles of Crime Prevention Through Environmental Design (CPTED) to ensure that new developments are designed to address safe living and working environments and reduce potential hazardous situations through the:

i) consideration of natural surveillance of outdoor spaces;

ii) avoidance of the creation of secluded areas;

iii) clear demarcation of access and egress areas; and

iv) appropriate placement and use of lighting.

3.17 Urban Farming

Urban farming shall mean the growing of produce (i.e. fruits and vegetables) and flowers in community gardens, and smaller scale gardening on public and private land, yards, and structures, such as rooftops, but shall exclude the raising of livestock or poultry other than backyard hens.

The Town's goal is to promote agriculture activities within urban areas that are compatible with planned land uses, while enhancing access to locally grown produce, lowering energy consumption, reducing transportation costs and greenhouse gas emissions, and augmenting supplies of fresh and preserved foods.

To achieve this goal, the Town shall:

i) promote the growing and sharing of a wide variety of local produce and preserved foods and flowers year-round;

ii) encourage the establishment of community gardens in suitable locations having maximum exposure to sunlight. Community gardens shall not be permitted in areas contaminated by existing or previous land uses. Community gardens and associated accessory structures, such as garden sheds, shall be minor in scale and secondary to the primary permitted land use(s);

iii) encourage community gardens to be designed to capture and infiltrate surface runoff;

iv) support the establishment of seasonal or year-round marketplaces in key locations where locally grown and preserved foods can be sold, and function as places of social interaction; and

v) consider establishing permanent agricultural easements to secure lands for community gardens in perpetuity.

3.18 Land Use Compatibility

In order to foster a sustainable development pattern, some land uses need to inter-relate while others are best separated. Further development and redevelopment in the Town will be guided by principles of land use compatibility that respect the quality and stability of existing areas and provide for suitable transition between areas of differing use, sensitivity, urban design treatment and intensity in order to avoid or mitigate adverse effects. Land use compatibility does not mean "the same as" but to coexist harmoniously with one another.

3.18.1 Matters to be Assessed

Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses. The demonstration of compatible development and land use change must consider the potential for impacts related to the character, planned function and/or ecological integrity of an area as well as the health and safety of humans. Where there exists a potential for negative impacts, the following land use compatibility matters shall be assessed:

i) shadowing;

ii) loss of privacy due to intrusive overlook;

iii) increased levels of light pollution, noise, odour, dust or vibration;

iv) increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;

v) reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas or setting;

vi) visual intrusion that disrupts the streetscape or buildings;

vii) built form in terms of scale and massing; and

viii) the loss or impairment of significant views of natural features and areas to residents.

3.18.2 Mitigation Measures

Mitigation measures may be used to achieve development and land use compatibility. Such measures may include one or more of the following:

i) ensuring adequate setbacks and minimum yard requirements;

ii) establishing appropriate transition in building heights, coverage and massing;

iii) requiring fencing, walls, landscaping or berming to create a visual screen;

iv) designing the building in a way that minimizes adverse effects;

v) maintaining mature vegetation and/or adding new landscaping features;

vi) controlling access locations, driveways, service areas and activity areas; and

vii) regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.

Planning Act tools including Zoning By-law standards, site plan control, development agreements and other measures will be used to implement mitigative measures that achieve compatible land use change and development.

3.19 Human-Made Hazards

3.19.1 Potentially Contaminated Sites

The historic use of land in the Town has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and reintegration into the community, if they are properly remediated to suit a new use of the site. The following is the policy of the Town:

i) the Town encourages the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate redevelopment, in accordance with Provincial regulations and procedures and the policies of this Plan;

ii) for land with an historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, Environmental Site Assessments (ESAs) will be prepared in accordance with the Environmental Procedures for Potentially Contaminated Sites policies of Section 3.19.2 of this Plan, as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements; and

iii) the Town will encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.

3.19.2 Environmental Procedures for Potentially Contaminated Sites

The development or redevelopment of potentially contaminated sites will be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MECP guidelines and procedures. Provincial regulations, as amended from time to time, establish the required criteria for site remediation and/or standards for Risk Assessments. Provincial regulations also specify the circumstances under which Records of Site Condition (RSC) are required for certain changes of

land use. Proponents of application(s) for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval will be required to document the previous uses of the subject property and/or any properties that may have been impacted by or have impacted the subject property, to assist in the determination of the potential for site contamination. At the Town's discretion, applications for minor variance and consent may also be required to document previous uses to assist in the determination of the potential for site contamination.

To demonstrate that the site is suitable for the proposed use, the Town will require an RSC, or a Phase I Environmental Site Assessment (ESA) for the land subject to the application(s), if in the Town's opinion (or as required by Provincial regulation), the previous uses on the subject land, or in the vicinity of the subject land, present the potential for site contamination and where there is a land use change proposed to a more sensitive use. Similarly, where permitted under Provincial regulation, the RSC/ESA requirement may be waived if, in the Town's opinion, the RSC/ESA is not necessary due to the previous uses on the subject land and in its vicinity do not represent a change as specified in the legislation and that the proposed use will not result in adverse effects. Proponents will submit all information related to the RSC/ESA to the Town for a peer review prior to the scheduling of a public meeting under the Planning Act. The development proponent will pay for the cost of the peer review. In the case of an application for site plan approval, the RSC or ESA will be submitted with the application. The following process will be followed:

i) the proponent will submit the RSC or the Phase 1 ESA report by a Qualified Person (as defined by the Environmental Protection Act and as prescribed by the Regulations), to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act. If the RSC demonstrates that there is no actual contamination, or if the Phase 1 ESA demonstrates that there is no potential for contamination, then no further action is required;

ii) if the site has already been remediated, the proponent will provide the Town with a RSC to provide verification to the satisfaction of the Town from a Qualified Person, that the property or properties in question do not require any further 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;

iii) if the site has not yet been remediated for the proposed development, the proponent will submit a RSC or a Phase I ESA report by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act;

iv) if the Phase I ESA report identifies actual or potential contamination, the proponent will submit a Phase II ESA report, prepared by a Qualified Person, to the Town for review and concurrence by a peer reviewer, who is a Qualified Person, prior to the scheduling of a Public Meeting under the Planning Act. If the Phase II ESA report confirms actual contamination, the proponent will also submit a Soil and Groundwater Remedial Plan and/or Risk Assessment prepared by a Qualified Person, to the Town for review and concurrence by a Qualified Person prior to the scheduling of a Public Meeting under the Planning Act;

v) if an approval for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval is granted by the Town, the Town may impose/establish conditions of approval for planning applications, including but not limited to the following:

   a. conditions of draft plan approval;

   b. conditions of site plan approval; or

   c. holding provisions of the Zoning By-law, to ensure that satisfactory verification of suitable environmental site condition is received prior to the issuance of any Building Permits for the site; and

vi) the Town will not consider an RSC as acknowledged by the MECP until the applicant provides evidence that either the MECP has confirmed that the RSC is acknowledged or if the MECP has confirmed the RSC is acknowledged subject to an audit that it has passed the audit.

Section 4 Land Use Policies

This section contains the goals and policies that pertain to the various land use designations depicted on Schedules "B", "B-1", "B-2" and "B-3" of this Plan.

4.1 Agricultural

The Agricultural designation is shown on Schedule "B" of this Plan.

4.1.1 Goals

The following goals are established for the Agricultural area:

i) to preserve good agriculture land for agricultural purposes and to encourage and support normal farm practices and agricultural land uses which are sustainable over the long-term;

ii) to allow farm operators to engage in a wide range of agricultural activities;

iii) to maintain the viability of farm units by discouraging the unnecessary fragmentation of existing farms;

iv) to recognize the potential of diversification of the agricultural economy through value-added, small-scale agricultural industries and commercial uses;

v) to ensure new farm and non-farm uses comply with the Minimum Distance Separation Formulae, as amended by the Province from time to time; and

vi) to encourage the retention of woodlots as integral components of the farm operation for agroforestry and the other benefits woodlands provide.

4.1.2 Policies

The following policies shall apply to those lands designated Agricultural on the Land Use Schedules of this Plan:

i) the predominant use of land shall be agricultural, including the growing of crops and the raising of livestock, agriculture-related uses, on-farm diversified uses, forestry, conservation uses, wildlife and fisheries management, watershed management and flood and erosion control projects carried out or supervised by a public agency, and passive recreational uses such as pedestrian/cycling trails;

ii) agriculture-related uses are farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area,

support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. These uses shall be permitted, subject to a Zoning By-law amendment and site plan control review where deemed appropriate by the Town. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of an agriculture-related use:

a. the use shall be compatible with and not hinder surrounding agricultural uses;

b. the use shall be appropriate to the rural service level available including road access, water and wastewater, and fire protection service;

c. the use shall comply with the Sign By-law;

d. the use will not change the agricultural character of the area;

e. the use will not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions; and

f. adequate limits on outdoor storage are established.

iii) on-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. These uses shall be permitted in accordance with the following criteria:

a. the use shall be compatible with and not hinder surrounding agricultural uses;

b. the use shall be appropriate to the rural service level available including road access, water and wastewater, and fire protection service;

c. the amount of land and size of the building devoted to the use is limited in proportion to the principal use and buildings on the property such that the use is clearly secondary to the principal use on the lot. As a general guideline, the amount of land area devoted to the use should not exceed two percent of the farm parcel to a maximum area of one hectare and the gross floor area of buildings used for on-farm diversified uses should not exceed 20 percent of the two percent;

d. limits are established on the total number of employees, as well as the number of outside employees that do not reside on the property;

e. the use shall comply with the Sign By-law;

f. the use will not change the agricultural character of the area;

g. the use will not create a safety hazard or become a public nuisance, particularly in regard to traffic, parking, noise, noxious odours or other emissions;

h. adequate limits on outdoor storage are established;

i. home occupations which are ancillary to the principal use of the property and which are carried out for remuneration and as defined in the Zoning By-law are permitted in the Agricultural designation. Home occupations that are totally contained within the dwelling unit, including attached garages, will be permitted without an amendment to the Zoning By-law. However, any home occupation that requires the use of anything other than the dwelling, including attached garages, except for parking, will require a By-law amendment. The implementing Zoning By-law will contain specific regulations pertaining to the size, number of employees, parking, signage and other matters associated with a home occupation use;

iv) greenhouse operations including packing and shipping facilities and on-site housing are permitted in the Agricultural designation and the agricultural zones of the Zoning By-law. The aforementioned uses, buildings, and structures are subject to site plan control;

v) cannabis greenhouse operations including the growing, harvesting, cleaning, packaging, and shipping of cannabis and any other uses related to cannabis production are also permitted in the Agricultural designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a cannabis operation is made, Council shall have due regard to the following:

a. the proximity of the proposed operation to existing residential uses and zones;

b. the location of the proposed operation and other existing uses with respect to the prevailing winds;

c. the introduction of appropriate design details mitigating potential adverse impacts from odour and night light, with the ability to include appropriate terms in a site plan agreement to address such issues; and

d. comments and recommendations of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks;

vi) mushroom operations including the growing, harvesting, cleaning, packaging, and shipping of mushrooms and any other uses related to mushroom production are also permitted in the Agricultural designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a mushroom operation is made, Council shall have due regard to the following:

a. the proximity of the proposed operation to existing residential uses and zones;

b. the location of the proposed operation and other existing uses with respect to the prevailing winds;

c. the introduction of appropriate design details mitigating potential adverse impacts from odour, with the ability to include appropriate terms in a site plan agreement to address this issue; and

d. comments and recommendations of the Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks;

vii) livestock intensive agricultural uses, as defined in the Zoning By-law, are permitted in the Agricultural designation without an amendment to the Zoning By-law provided the proposed location is in compliance with the Minimum Distance Separation (MDS) II;

viii) tree farms and retail nursery outlets are permitted in the Agricultural designation without an amendment to the Zoning By-law provided that a majority of goods and materials for sale are grown or produced on site;

ix) the Zoning By-law shall permit one primary single unit dwelling per lot;

x) an additional residence on a lot for the purposes of housing farm help may be allowed once the need for such housing has been adequately demonstrated in terms of the following: the farm helps' working activity is primarily, but not necessarily exclusively, devoted to the farm operation; and the farm operation requires the help to be accommodated close to the farm. The farm help residence should use the same access as the primary single unit dwelling where such dwelling exists, be located within the cluster of farm buildings and will not be eligible for severance in the future;

xi) an additional residential unit (ARU) shall be permitted within a primary single unit dwelling subject to the following criteria:

a. the gross floor area of the ARU is equal to or less than the floor area of the primary single unit dwelling on the lot;

b. there is no other ARU or garden suite on the property;

c. the dwelling fronts on and has access to/from a municipal road;

d. there are adequate services including municipal water; and

e. adequate off-street parking is provided;

xii) a stand-alone ARU, as an ancillary use to a primary single unit dwelling, shall be permitted subject to a Zoning By-law amendment and appropriate zoning regulations being in place. The following criteria will be considered as the basis for all Zoning By-law amendments to permit a stand-alone ARU:

a. the ARU is subordinate to the primary dwelling on the lot;

b. there is no other ARU or garden suite on the property;

c. the ARU should use the same access as the primary single unit dwelling and be located within the cluster of existing buildings;

d. the ARU will not be eligible for severance in the future;

e. there are adequate services including municipal water; and

f. other requirements such as parking, tree preservation, landscaping and the provision of amenity areas are adequately addressed;

xiii) garden suites shall be permitted as a temporary use in accordance with the policies of Section 10.15 of this Plan and subject to the following criteria:

a. a maximum of one garden suite per lot is permitted;

b. sufficient parking is provided;

c. the property owner must reside in the primary single unit dwelling on the lot;

d. there is no ARU on the property;

e. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted

suitable financial security with respect to the agreement in accordance with the *Planning Act;*

f. a certificate of occupancy will be required prior to occupancy;

g. there are no servicing constraints and, where the property is served by private on-site sewage services, approval of a garden suite is subject to approval of the Town's Building Department; and

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

xiv) all development in the Agricultural designation shall be in accordance with the land division policies contained in Section 6 of this Plan.

4.2 Residential

The Residential designation is shown on Schedule "B-1" and "B-2" of this Plan.

4.2.1 Goals

The following goals are established for the Residential area:

i) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years. To accomplish this, the Town will attempt to have a three-year supply of residential lots in either draft or final approved plans of subdivision and a 15-year supply of land designated for residential development available at all times;

ii) to encourage the development of a greater variety of housing types in the Town to meet the future housing needs of all households, and to meet the provincial housing objectives as set out in the Provincial Policy Statement and County of Essex Official Plan;

iii) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;

iv) to encourage the infilling and rounding out of the existing development pattern in urban areas of the Town where a full range of municipal infrastructure (including a piped sanitary sewer system), community facilities, and goods and services can be provided in a cost-effective and environmentally sound manner;

v) to ensure that existing and new residential areas are walkable and, to the greatest extent possible, are supported by all modes of transportation;

vi) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, ARUs, conversions and redevelopment; and

vii) to protect the existing viewscapes of Lake St. Clair from residential properties on the north side of Riverside Drive.

4.2.2 Policies

The following policies shall apply to those lands designated Residential on the Land Use Schedules of this Plan:

i) the use of lands designated Residential shall be for all forms of housing, including special needs housing, in accordance with subsections 4.2.2.1, 4.2.2.2 and 4.2.2.3;

ii) group homes shall also be permitted. For the purposes of this Plan, group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents, (excluding staff) live as a unit under responsible supervision consistent with the requirements of its residents. Such homes shall be licensed or approved under provincial statute and in compliance with all municipal by-laws. 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 by-law amendment;

iii) home occupations may be permitted, provided they do not alter the residential character and amenity of the area;

iv) day care centres may also be permitted within the Residential designation subject to a Zoning By-law amendment;

v) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:

a. redevelopment, including the redevelopment of brownfield sites;

b. the development of vacant or underutilized lots within previously developed areas;

c. infill development;

d. the conversion or expansion of existing commercial and institutional buildings for residential use; and

e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including ARUs;

vi) within existing stable residential areas, applications for infill or redevelopment must be located and organized to fit with neighbouring properties and must satisfactorily address the criteria contained in Section 3.18 of this Plan. In fully serviced areas, intensification through moderate increases in building height or density, and gradual transition to more intense forms of housing may be approved in neighbourhoods that are adjacent or in close proximity to such items as transit routes, commercial areas, community facilities and/or significant areas of open space;

vii) an ARU shall be permitted within a single unit detached, semi-detached or townhouse dwelling unit subject to the following criteria:

a. the gross floor area of the ARU is equal to or less than the gross floor area of the primary dwelling unit on the lot;

b. the dwelling fronts on and has access to/from a municipal road or municipal laneway;

c. there are full municipal services and no servicing constraints, except where the property is not yet serviced by municipal sanitary sewers, consideration may be given to a private on-site sewage service subject to approval of the Town's Building Department; and

d. adequate off-street parking is provided;

viii) a stand-alone ARU, as an ancillary use to a single unit detached or semi-detached dwelling unit, shall be permitted subject to the following criteria:

a. the ARU is subordinate to the primary dwelling on the lot;

b. the ARU can be integrated into its surroundings with negligible visual impact to the streetscape;

c. the ARU is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;

d. there are full municipal services and no servicing constraints, except where the property is not yet serviced by municipal sanitary sewers, consideration may be given to a private on-site sewage service subject to approval of the Town's Building Department; and

e. other requirements such as parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas are adequately addressed;

ix) garden suites shall be permitted as a temporary use in accordance with the policies of Section 10.15 of this Plan and subject to the following criteria:

a. a maximum of one garden suite per single unit detached dwelling lot or semi-detached dwelling lot;

b. sufficient parking, landscaping and buffering are provided;

c. the property owner must reside in the primary dwelling on the lot;

d. there is no ARU on the property;

e. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the *Planning Act;*

f. a certificate of occupancy will be required prior to occupancy;

g. there are no servicing constraints;

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

x) the Town shall encourage and facilitate affordable housing initiatives designed to provide a full range of housing, in terms of tenure and affordability within all residential designations, with a specific focus to produce housing for low income residents of the Town. In accordance with the County of Essex Official Plan, a minimum of 20 percent of all new housing units shall be affordable. Town initiatives to facilitate affordable housing initiatives may include:

a. waiving (in full or in part) municipal development charge and/or community benefit charge fees to encourage the development of affordable housing;

b. supporting strategies that create opportunities to increase the supply of affordable housing consistent with the Windsor Essex Housing and Homelessness Plan;

c. discouraging the demolition or conversion of affordable rental housing in order to maintain the rental housing stock;

d. promoting the development of non-profit housing projects by cooperative and non-profit housing organizations; and

e. promoting all forms of housing to meet the social, health and well-being requirements of current and future residents including special needs requirements;

xi) the Town shall include adequate provisions in the Zoning By-law that have the effect of reasonably protecting existing viewscapes of Lake St. Clair from residential properties on the north side of Riverside Drive;

xii) the creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 6 of this Plan; and

xiii) some of the undeveloped lands that are designated Residential and have servicing constraints, shall be placed in a holding zone in the implementing Zoning By-law at the time development applications are being considered by the Town or at such time prior to development applications as Council deems appropriate. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim.

4.2.2.1 Low Density Residential Policies

Low density residential land uses include single detached dwellings, semi-detached dwellings and duplexes that have a density of up to 20 units per gross hectare. The residential goals and policies contained in subsection 4.2 of this Plan shall apply to low density residential development.

4.2.2.2 Medium Density Residential Policies

Medium density residential land uses shall be subject to a Zoning By-law

amendment and shall include townhouses, stacked townhouses, row houses, multiple dwelling conversions, walk-up or small-scale apartments, and mixed use buildings with commercial on the ground floor. Nursing homes, rest homes and retirement homes may also be permitted. The maximum height for medium density residential buildings shall be four storeys.

The residential goals and policies contained in subsection 4.2 of this Plan shall apply to medium density residential development. In addition, the following policies shall apply to medium density residential development:

i) the density range for medium density extends from 20 to 50 units per gross hectare;

ii) when considering any new medium density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:

   a. availability of adequate municipal services;

   b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or private areas to the satisfaction of the Town;

   c. adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate; and

   d. protection of adjacent low density residential areas from adverse effects;

iii) new medium density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses; and

iv) all new medium density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

4.2.2.3 High Density Residential Policies

High density residential land uses shall be subject to a Zoning By-law amendment and shall include apartments, nursing homes, rest homes and retirement homes. The maximum height for high density residential buildings shall be six storeys.

The residential goals and policies contained subsection 4.2 of this Plan shall apply to high density residential development. In addition, the following

policies shall apply to all high density residential development:

i) the density range for high density is above 50 units per gross hectare;

ii) when considering any new high density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:

a. availability of adequate municipal services;

b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or private areas to the satisfaction of the Town;

c. adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate;

d. protection of adjacent low density residential areas from adverse effects;

e. adjacent to, or in close proximity to, commercial areas;

f. on or within close proximity to an Arterial Road or Commercial Main Street;

g. in close proximity to public transit; and

h. in close proximity to parkland or open space;

iii) new high density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses; and

iv) all new high density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

4.2.3 Special Residential Policies

The following special policies shall apply to those site-specific lands identified below and designated Residential on the Land Use Schedules of this Plan:

i) Special Policy Affecting the Property on the North-East Corner of the 8th Concession Road/North Talbot Road Intersection.

Notwithstanding any other policy of the Plan to the contrary and having regard to OMB Decision dated January 17, 2018 (Case No.:

PL160967), the 21.6 hectare property situated at the north-east corner of the 8th Concession/North Talbot Road intersection (Del Duca lands) designated Residential on Schedule "B-2" of this Plan shall be subject to the following additional policies:

a. a mixture of single-unit detached dwellings and semi-detached dwellings at a maximum of 18 units per gross hectare and townhouse dwellings to a maximum of 30 units per gross hectares shall be permitted;

b. a retirement home with a maximum density of 60 units per gross hectare and a maximum height of four storeys shall also be permitted;

c. a 30-metre (98-foot) wide buffer strip along the western boundary of the property adjacent to the 8th Concession Road and extending from the commercial block to the northern limit of the subject property shall be required. The buffer strip shall comprise:

   - a berm with tree plantings;
   - a multi-use pathway; and
   - a drainage feature/swale for the conveyance of stormwater subject to the completion of a stormwater management study for the entire subject property to the satisfaction of the Town and the Essex Region Conservation Authority.

   Lands associated with the multi-use pathway included as part of the buffer strip shall be included in the calculation of any required parkland dedication or cash-in-lieu, in accordance with the Planning Act;

d. a stormwater drainage corridor along the northern extent of the property and along the northeastern portion of the property where it abuts the former railway lands may be a feature considered as part of the stormwater management study. This stormwater drainage corridor, if deemed appropriate by the stormwater management study as approved by the Town and the Essex Region Conservation Authority, shall also provide for a multi-use pathway that will provide a linkage between the residential areas, commercial areas and adjacent parkland; and

e. it is anticipated that a stormwater management facility addressing quality and quantity control for the subject property will be located at the easterly extent of the property. The final location and design of the stormwater management facility will

be subject to the completion of a stormwater management study to the satisfaction of the Town and the Essex Region Conservation Authority and will be designed so as provide a visual amenity and passive recreational opportunities and be an integral component of the development.

ii) Special Policy Affecting the 0.66 Hectare Property on the Northeast Corner of the County Road 42/Lesperance Road Intersection.

Notwithstanding any other policy of this Plan to the contrary, the 0.66 hectare parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection (12300 County Road 42) and designated "Residential" on Schedule "B-1" of this Plan shall be subject to the following specific policies:

a. the permitted uses for the subject property shall consist of a maximum of four, six-unit, three-storey dwellings, along with accessory uses;

b. the maximum lot density shall be 36 units per hectare; and

c. the lands be made subject to Site Plan Control, in accordance with Section 41 of the Planning Act, R.S.O. 1990.

iii) Special Policy 4.2.3 iii) affecting those lands in the Oldcastle Hamlet Settlement Area, as shown on Schedule "B-2" of this Plan.

Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.2.3 iii) on Schedule "B-2" of this Plan shall be subject to the following additional policies:

a. development of these lands shall be exclusively accessed from Oldcastle Road by a combination of new municipal roads, comprising a minimum of two roads connecting to Oldcastle Road, and/or driveways. Road and driveway connections to Highway 3 shall not be permitted;

b. development of these lands shall include the provision of a municipal park in accordance with the policies of this Plan; and

c. the pattern of development and road networks should be arranged to facilitate road and active transportation connections to future developments to the north between the subject lands and North Talbot Road.

iv) Special Policy 4.2.3 iv) affecting those lands in the Oldcastle Hamlet Settlement Area, as shown on Schedule "B-2" of this Plan. Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.2.3 iv) on Schedule "B-2" of this Plan shall be subject to the following additional policies:

a. development should be oriented to Oldcastle Road and 8th Concession Road such that reverse-frontage development does not result, and be designed to consider future development and road networks to the south and east; and

b. prior to development, the Town will undertake an appropriate assessment to consider opportunities to re-align the intersection of 8th Concession Road and Oldcastle Road at North Talbot Road. New development shall be designed in a manner to facilitate the preferred re-alignment.

4.3 General Commercial

The General Commercial designation is shown on Schedules “B-1" and “B-2" of this Plan.

4.3.1 Goals

The following goals are established for the General Commercial area:

i) to strengthen and enhance the Town’s existing economic base by recognizing existing commercial districts and by allowing for their continued development and redevelopment;

ii) to ensure that suitable sites are available within the designated urban areas to accommodate a full range of commercial goods and services to meet the needs of the surrounding neighbourhoods, the community at large, and the travelling public;

iii) to recognize that commercial areas are dynamic in nature and must be able to evolve, adapt and redevelop as market conditions, consumer needs and preferences, and retail trends change over time, and to provide a corresponding policy environment which will permit these changes to occur in a manner which is beneficial to Town ratepayers.

4.3.2 Policies

The following policies shall apply to those lands designated General Commercial on the Land Use Schedules of this Plan:

i) the permitted uses shall include all types of retail, office and service commercial uses, places of entertainment, assembly halls, eating establishments, recreational commercial uses, clinics, funeral homes, financial service establishments, automobile sales and service establishments, gas bars, automotive service stations, car washes, automobile repair shops excluding automobile body shops and towing compounds, hotels, motels, laundry and dry cleaning establishments,

and other similar commercial businesses that serve the needs of Town residents;

ii) all new uses locating within this designation will be required to conform to high performance standards relating to parking, loading, lighting, landscaping, buffering and outside storage as set out in the implementing Zoning By-law and site plan control agreements. Development in this designation shall also have regard to the Urban Design policies contained in Section 7 of this Plan;

iii) no outdoor storage of goods, materials, parts, derelict vehicles or parts thereof, is permitted in conjunction with automobile service stations and specialty automotive repair shops; and

iv) all development in the General Commercial designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

4.3.3 Special General Commercial Policies

The following special policies shall apply to those site-specific lands identified below and designated General Commercial on the Land Use Schedules of this Plan:

i) Special Policy Affecting those Lands Located on the North Side of Tecumseh Road between the single tier of residential development along the west side of Harvest Lane and Meadowland Crescent and the food processing plant on Schedule “B-1” of this Plan.

Notwithstanding any other policy of this Plan to the contrary, development shall be in accordance with the following specific policies:

a. development is subject to the Ministry of the Environment, Conservation and Parks setback requirements relative to the lagoon facility located on the industrial lands to the west. Accordingly, the subject property shall be subject to the following specific policies:

- the permitted use for those areas which are situated within the area subject to the MECP setback requirement, generally described as the northerly portion of the subject area, shall be restricted to those commercial uses not having any human occupation for any extended period of time, such as self-storage units, and as more specifically determined in the implementing Zoning By-law;

- the permitted uses for those areas which are situated beyond the MECP setback requirement, generally described as the southerly portion of the subject area, shall be in accordance with subsection 4.3.2 i) of this Plan, excluding eating establishments, taverns, hotels and residential uses;

- the implementing Zoning By-law shall zone the northerly and southerly portions of the subject land in distinct, site specific commercial zones. The location of the delineation between the restricted use allowed on the northerly portion and the range of commercial uses allowed on the southerly portion of the subject land shall be established in the implementing zoning by-law in consultation with the MECP;

b. appropriate zone regulations and site plan control will be used to ensure that issues concerning access, parking, setbacks and buffering to reduce the potential for compatibility problems are adequately addressed, as well as addressing other servicing matters; and

c. the construction of a municipal road, which will consist of the southerly extension of Revland Drive to Tecumseh Road along the westerly portion of the subject property, is an integral part of development proceeding on the subject land. Development will be subject to the execution of those agreements deemed necessary by the Town in order to ensure the construction of this road. The subject land will be placed in appropriate holding zones in accordance with subsection 10.3 of this Plan.

ii) Special Policy Affecting the Property east of Brighton Road, south of Marine Drive - Sailing Club.

Notwithstanding any other policy of the Plan to the contrary, the uses permitted on this 1.5 hectare site shall be limited to a marina and any other existing use of the Sailing Club as of the date of adoption of this Plan. Any use other than a marina or existing uses shall require an amendment to the Official Plan.

iii) Special Policy Affecting the Southerly 0.23 Hectares of the 1.34 Hectare Property Located on the Southwest Corner of the County Road 22/Lesperance Road Intersection.

Notwithstanding any other policy of this Plan to the contrary, the lands designated “General Commercial” on Schedule “B-1” of this Plan shall be subject to the following additional policies:

a. a defined outdoor area for the display of finished goods/products shall be permitted adjacent to the west side of the existing parking lot that provides parking for the associated commercial use on the lands to the immediate north, along with associated landscaping and site design details. The parking lot shall be designed such that it is fully interconnected and integrated with the parking lot and commercial development on the land to the north and may have a driveway connecting to Westlake Drive;

b. all development on the subject property shall be subject to site plan control in accordance with Section 41 of the Planning Act, R.S.O. 1990;

c. the land shall be zoned in a site specific commercial zone establishing zone regulations regarding the items noted in subparagraph a) and more particularly regarding the setback of the outdoor areas for the display of finished goods/products and parking area from the residential property abutting to the west.

iv) Special Policy Affecting the 4.25 Hectare on the North Side of King's Highway No. 3 and the South Side of McCord Lane east of Walker Road (Town Lands).

Notwithstanding any other policy of the Plan to the contrary, the uses permitted on this site shall also include the uses permitted in the Community Facility designation by virtue of subsection 4.7.2 i).

v) Special Policy Area Affecting those lands located in the Tecumseh Road/Manning Road Mixed-Use District, as shown on Schedule "I" of this Plan.

Notwithstanding any other policy of this Plan to the contrary, multi-unit residential uses are an additional permitted land use on lands identified as the Tecumseh Road/Manning Road Mixed-Use District, as depicted on Schedule "I", subject to the following policies:

a. Multi-unit residential uses are permitted as triplex dwellings, cluster townhouse dwellings, stacked townhouse dwellings, and apartment dwellings in stand-alone mid-rise apartment buildings or in upper storeys of a mixed-use residential/commercial building where the ground floor is utilized for permitted office, retail, service commercial and/or restaurant commercial uses;

b. The maximum building height shall not exceed six storeys in height and the maximum density shall not exceed 100 units per gross hectare;

c. The lands situated within the Tecumseh Road/Manning Road Mixed-Use District represent a key component of the Town's Urban Structure and are intended to continue to be a focal point for major retail and other associated commercial development;

d. It is the intent of the policies of the Tecumseh Road/Manning Road Mixed-Use District to encourage the evolution of this district toward a mixture of land uses by facilitating the creation of new multi-unit residential and mixed-use development in close proximity to existing amenities, stores and services;

e. All new multi-unit residential and mixed-use development shall incorporate good urban design and high-quality architecture and landscaping that results in a built form that creates a more compact, walkable, transit supportive and mixed-use district that promotes street-edge buildings with parking to the side and rear of buildings is encouraged;

f. All development within the Tecumseh Road/Manning Road Mixed-Use District shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990;

g. The pre-zoning of lands within this district to allow multi-unit residential and mixed-use development shall only include "Initial Phase Lands" identified on Schedule "I" due to municipal sanitary sewer servicing limitations. As part of the next Official Plan Review, the Town shall undertake further studies and prepare additional policies to support, where possible, future additional multi-unit residential and mixed-use development and redevelopment within this district. In the interim, those lands that are not identified as "Initial Phase Lands" on Schedule "I" will continue with their current designation and zoning.

vi) Special Policy 4.3.3.vi) affecting those lands in the Oldcastle Hamlet Settlement Area, as shown on Schedule "B-2" of this Plan. Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.3.3.vi) on Schedule "B-2" of this Plan shall be subject to the following additional policies:

a. prior to development, the Town will undertake an appropriate assessment to consider opportunities to re-align the intersection of 8th Concession Road and Oldcastle Road at North Talbot Road. New development shall be designed in a manner to facilitate the preferred re-alignment.

4.4 Main Street Mixed Use

The Main Street Mixed Use designation is shown on Schedule “B-1" of this Plan.

4.4.1 Goals

i) to provide retail and other commercial services for surrounding neighbourhoods and the broader community in a setting that is street-oriented and pedestrian focused, including a mix of compatible residential and office or community uses and services;

ii) to provide for a range of commercial activity that is suitable to the main street setting, in order to support the traditionally diverse role and pedestrian-oriented activity focus of the Town’s downtown/historic core;

iii) to promote a mix of commercial, institutional and higher density residential uses that will create a compact and walkable main street that promotes street-edge buildings with on-site parking to the side and rear of the buildings; and

iv) to assist in enhancing the traditional main street area of the Town by working with the community in the establishment of a clear vision along with appropriate regulations, guidelines and incentives to make the downtown more sustainable and attractive to investment while enhancing its role in providing the municipality with its identity and a sense of place.

4.4.2 Policies

The following policies shall apply to those lands designated Main Street Mixed Use on the Land Use Schedules of this Plan:

i) permitted commercial uses include retail, eating establishments, hotels, service and office uses that are suitable for a main street pedestrian format and are intended to serve the surrounding neighbourhoods and broader community. For properties within the Main Street Mixed Use designation, land use fronting the street on the ground floor is encouraged to be commercial including live-work units;

ii) complementary uses such as cultural, recreational, entertainment, institutional, community or municipal services, medium and high density residential, open space facilities, and parking lots and structures shall be permitted;

iii) within the Main Street Mixed Use designation, medium and high density residential uses are permitted and are encouraged in upper-storey locations or to the rear of commercial buildings provided that

they contribute to the pedestrian activity and amenity of the street and complement the commercial storefront design and character of the street;

iv) height and density provisions for medium and high density residential uses shall be in accordance with Sections 4.2.2.2 and 4.2.2.3 of this Plan;

v) new automotive uses and other uses such as large format retail uses that interrupt pedestrian flow and are visually incompatible with the main street commercial setting are prohibited. Existing automotive sales and/or service establishments are anticipated to be phased out over time;

vi) the Tecumseh Road Main Street Community Improvement Plan is a major guiding document for development within the Main Street Mixed Use designation. It is intended to be used as a tool to achieve a pedestrian-oriented form of development that will provide support for more sustainable means of growth. All development within the Main Street Mixed Use designation shall, to the greatest extent possible, be in accordance with the Tecumseh Road Main Street Community Improvement Plan, as amended from time to time;

vii) new drive-through facilities will not be permitted in the Main Street Mixed Use designation in order to protect and enhance the pedestrian environment; and

viii) all development in the Main Street Mixed Use designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

4.4.3 Special Main Street Mixed Use Policies

The following special policies shall apply to those lands identified below and designated Main Street Mixed Use on the Land Use Schedules of this Plan:

i) Special Policy Affecting the 0.37 Hectare Property Located at 11957 Tecumseh Road.

Notwithstanding any other policy of this Plan to the contrary, the following specific policies shall apply:

a. No buildings or structures shall be constructed within 6.6 metres of the subject property's westerly side lot line. This area shall be used exclusively as a mutual vehicular access lane combined with a pedestrian pathway. The mutual vehicular access lane is intended to provide access to the subject property's parking area from Tecumseh Road along with access to the property abutting to the west. In addition, a pedestrian pathway is to be provided in this 6.6 metre corridor

to provide for the movement of pedestrians from Tecumseh Road to the north to the interior of the subject property, the abutting property to the west and ultimately to other lands farther to the south and south/west. An easement for public pedestrian access shall be granted to the Town respecting the pedestrian pathway at such time as development occurs on 11941 Tecumseh Road and on the lands immediately abutting 11941 Tecumseh Road to the south, warranting a pedestrian connection or as otherwise determined by the Town. The easement and any related development agreements shall contemplate that the pedestrian pathway is constructed by the owner and maintained by the Town. Details with respect to this mutual vehicular access lane and pedestrian pathway shall be addressed in the associated plan of condominium approval and/or site plan control agreement. The mutual vehicular access lane and pedestrian pathway required by this policy shall be combined in the future with a similar facility along the easterly lot line of the subject property to the west so that a single cross-access corridor will result having a total width of approximately 10.9 metres (with 6.6 metres being contained on the subject property and 4.3 metres being contained on the property abutting to the west);

ii) Special Policy Affecting the 0.43 Hectare Property Located at 11941 Tecumseh Road.

Notwithstanding any other policy of this Plan to the contrary, the following specific policies shall apply:

a. The permitted use for the northerly portion of the subject property shall be a multi-unit apartment building of up to five storeys in height and up to 51 residential dwelling units and one live-work unit (a dwelling unit that will accommodate a commercial work space, with the types of commercial uses permitted to be as established in the zoning by-law) on the first floor of the building, fronting Tecumseh Road, along with associated surface parking. The majority of on-site parking shall be located to the south of the apartment building on the southerly portion of the subject property with access from Tecumseh Road to be by way of a driveway proposed along the east side of the property;

b. No buildings or structures shall be constructed within 4.3 metres of the subject property's easterly side lot line. This area shall be used exclusively as a mutual vehicular access lane combined with a pedestrian pathway. The mutual vehicular access lane is intended to provide access to the subject property's parking area from Tecumseh Road along with access to the property abutting to the east. In addition, a

pedestrian pathway is to be provided in this 4.3 metre corridor to provide for the movement of pedestrians from Tecumseh Road to the north to the interior of the subject property, the abutting property to the east and ultimately to other lands farther to the south and south/west. An easement for public pedestrian access shall be granted to the Town respecting the pedestrian pathway at such time as development occurs on the subject property and on the lands immediately abutting the subject property to the south, warranting a pedestrian connection or as otherwise determined by the Town. The easement and any related development agreements shall contemplate that the pedestrian pathway is constructed by the owner and maintained by the Town. Details with respect to this mutual vehicular access lane and pedestrian pathway shall be addressed in the associated plan of condominium approval and/or site plan control agreement. The mutual vehicular access lane and pedestrian pathway required by this policy shall be combined in the future with a similar facility along the westerly lot line of the subject property to the east so that a single cross-access corridor will result having a total width of approximately 10.9 metres (with 4.3 metres being contained on the subject property and 6.6 metres being contained on the property abutting to the east).

c. The site-specific zone provisions shall be established within the implementing zoning by-law amendment. The zone provisions shall ensure, among other things, that:

- the minimum front yard depth for the first four storeys of the apartment building shall be nil;
- the minimum rear yard depth for the first four storeys of the apartment building shall be 42.0 metres;
- the fifth storey of the apartment building shall be set back a minimum of 9.0 metres from the northerly face of the fourth storey of the building and a minimum of 9.0 metres from the southerly face of the fourth storey;
- the minimum westerly side yard width for the apartment building shall be 4.7 metres;
- the minimum easterly side yard width for the apartment building shall be 4.3 metres; and
- the maximum lot density shall be 119 units per net hectare.

d. The permitted use for the southerly portion of the subject property shall be primarily for a parking lot and related laneways and accessory structures associated with the multi-unit apartment building.

iii) Special Policy Affecting the 1.08 Hectare Property Located at 11870 Tecumseh Road.

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

a. The permitted use for the subject property shall be a multi-unit apartment building of up to six storeys in height, containing up to 99 residential dwelling units and accessory uses;

b. A maximum height of three storeys shall be permitted for that portion of the building designed to front/face onto Tecumseh Road;

c. As part of the residential development, a municipal parkette shall be constructed and conveyed to the Town. The size, location and design of the municipal parkette shall be to the satisfaction of the Town, and in keeping with the Tecumseh Road Main Street Community Improvement Plan, adopted January 12, 2016, and implemented through a corresponding site plan control agreement;

d. The site-specific zone provisions shall be established within the implementing Zoning By-law amendment. The zone provisions shall ensure that the development is constructed in accordance with the special policy affecting the subject property; and

e. A Noise and Vibration Study will be required prior to and as part of any application for site plan control or condominium on the subject property. Any required mitigation will be included as a condition of draft condominium approval and will be included as a specific requirement in a site plan control agreement.

iv) Special Policy Affecting the 4.4 Hectare Area of Land Situated Southeast of the Tecumseh Road/Southfield Drive Intersection (11873 and 11917 Tecumseh Road).

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policies:

a. the permitted uses for the subject area shall be:

- one six-storey, multiple-unit dwelling containing a total of 149 units;
- one seven-storey, multiple-unit dwelling containing a total of 98 units;
- one multiple-unit dwelling no greater than four-storeys in height and containing no greater than 150 units; and
- accessory uses;

b. in the event of future lot severances, a combined maximum of 397 dwelling units shall be permitted within this special policy area; and

c. a Noise and Vibration Study will be required prior to and as part of an application for site plan control on the subject property. Any required mitigation will be included as a specific requirement in a site plan control agreement.

v) Special Policy Affecting the 0.65 Hectare Property Located at the westerly terminus of First Street, immediately north of the VIA Railway right-of-way (12219-12229 First Street and 1106 Laramie Street).

Notwithstanding any other policy of this Plan to the contrary, the permitted uses shall be restricted to the uses identified in 4.4.2 i) and ii) excluding residential uses and those light type industrial uses compatible with adjacent residential uses including workshops, service shops, processing, manufacturing, assembling and warehousing.

4.5 Business Park

The Business Park designation is shown on Schedules "B-1" and “B-2" of this Plan.

4.5.1 Goals

The following goals are established for the Business Park area:

i) to provide suitable areas for a broad range of employment uses that include manufacturing, research and development, warehousing, construction and transportation activities and other employment uses with similar operating characteristics and locational requirements;

ii) to support a strong and diversified economic base within the Town, allowing for an expansion of the assessment base and providing a choice of jobs for its citizens while supporting the existing infrastructure networks;

iii) to promote a high standard of design which will create an aesthetically pleasing and functional environment for both employees and visitors;

iv) to encourage industrial uses to locate in proximity to major transportation infrastructure and in areas that could, over time, be efficiently serviced by public transit;

v) to ensure the protection, enjoyment and use of nearby properties from the adverse impacts of incompatible uses by enhancing compatibility between industrial and sensitive uses (i.e. residential and recreational) through the use of mitigation measures such as: distance separation, landscaping, buffering, and screening;

vi) to establish an orderly and coordinated vehicular and pedestrian circulation system; and

vii) to encourage a development pattern that reflects modern subdivision and engineering practices, and does not place an undue financial burden on the municipality to provide the necessary municipal infrastructure and services.

4.5.2 Policies

The following policies shall apply to those lands designated Business Park on the Land Use Schedules of this Plan:

i) lands designated Business Park shall be used for a range of light industrial uses including manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling along with accessory office and retail uses. In addition, contractor and construction facilities and yards, automobile body repair shops and truck and automobile service and rental shops shall also be permitted. All permitted light industrial uses shall meet the requirements of and, where necessary, obtain the approval of the Ministry of the Environment, Conservation and Parks with respect to any and all emissions to the environment (including wastewater, odours, noise, dust, vibrations, etc.);

ii) other permitted uses include research and development facilities, public and private sports facilities, exhibition halls, transportation depots and wholesale establishments;

iii) the following additional uses are permitted as complementary uses which are intended to serve the industrial areas and the broader community and shall be permitted on properties adjacent to County Road 11 (Walker Road), North Talbot Road, County Road 46, County Road 22, Jamsyl Drive and County Road 42:

a. offices;

b. restaurants, convenience retail stores, financial institutions;

c. automobile sales and service establishments, automobile service stations or gas bars;

iv) the processing, packaging and shipping of cannabis products is also permitted however the growing and/or harvesting of cannabis shall be prohibited;

v) notwithstanding any other policies in this Plan, unless specifically zoned in the implementing Zoning By-law, the following uses shall not be permitted in the Business Park designation: waste processing, disposal and storage including transfer stations, packing and bailing sites, and liquid and hazardous waste processing and disposal facilities;

vi) the Town will provide for, facilitate, and support industrial development initiatives through the provision of infrastructure and infrastructure improvements and the protection of industrial establishments from incompatible land uses that may jeopardize the viability and efficiency of industrial operations;

vii) it is the intent of the Town to utilize appropriate setback, buffering and mitigation techniques to maximize compatibility between new light industrial uses and nearby sensitive land uses such as existing and future residential areas. The Ministry of the Environment, Conservation and Parks D-1, "Land Use Compatibility" and D-6, “Compatibility between Industrial Facilities”, or their successors, will be used as guidelines;

viii) some of the undeveloped lands that are designated Business Park and have servicing constraints, shall be placed in a holding zone in the implementing Zoning By-law. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim; and

ix) all development in the Business Park designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

4.5.3 Special Business Park Policies

The following special policies shall apply to those site-specific lands identified below and designated Business Park on the Land Use Schedules of this Plan:

i) Special Policy 4.5.3.i) affecting those lands located in the Oldcastle Hamlet, as shown on Scheule “B-2” of this Plan.

Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.5.3.i) on Schedule “B-2” of this Plan shall be subject to the following additional policies:

a. access to development on these lands shall be from Highway 3 at its signalized intersection with Outer Drive in accordance with a Traffic Impact Study to be completed to the satisfaction of the Ministry of Transportation and the Town.

ii) Special Policy 4.5.3.ii) affecting those lands located in the Oldcastle Hamlet, as shown on Schedule “B-2” of this Plan.

Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.5.3.ii) on Schedule “B-2” of this Plan shall be subject to the following additional policies:

a. development will only be permitted if all the lots in the subject lands are consolidated into a single cohesive development site;

b. development may be accessed from Highway 3, in coordination with the development of the Business Park lands to the west, and/or Walker Road, subject to a Traffic Impact Study being completed to the satisfaction of the Ministry of Transportation and the County of Essex; and

c. site design of any proposed development on the consolidated lands in this Special Policy area will demonstrate how any negative impacts from a Business Park use will be avoided on the Residential lands to the east fronting on Walker Road. These may include physical buffering and screening features like berms and tree plantings, separation distances, and/or mitigation of the negative impact at the source. In addition, development will be required to address any additional land use compatibility matters deemed necessary in accordance with Section 3.18 of this Plan.

iii) Special Policy 4.5.3.iii) affecting those lands located in the Oldcastle Hamlet, as shown on Schedule “B-2” of this Plan.

Notwithstanding Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.5.3.iii) on Schedule “B-2” of this Plan shall be subject to the following additional policies:

a. development may be accessed from Oldcastle Road and/or Walker Road, subject to a Traffic Impact Study being completed

to the satisfaction of the Ministry of Transportation, the County of Essex and the Town; and

b. site design of any proposed development on the lands in this Special Policy area will demonstrate how any negative impacts from a Business Park use will be avoided on the Residential lands to the west fronting on Walker Road. These may include physical buffering and screening features like berms and tree plantings, separation distances, and/or mitigation of the negative impact at the source. In addition, development will be required to address any additional land use compatibility matters deemed necessary in accordance with Section 3.18 of this Plan.

iv) Special Policy 4.5.3.iv) affecting those lands located in the Oldcastle Hamlet, as shown on Schedule “B-2” of this Plan.

Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.5.3.iv) on Schedule “B-2” of this Plan shall be subject to the following additional policies:

a. site design of any proposed development on the lands in this Special Policy area will demonstrate how any negative impacts from a Business Park use will be avoided on the Residential lands directly to the south. These may include physical buffering and screening features like berms and tree plantings, separation distances, and/or mitigation of the negative impact at the source. In addition, development will be required to address any additional land use compatibility matters deemed necessary in accordance with Section 3.18 of this Plan.

v) Special Policy 4.5.3.v) affecting those lands located in the Oldcastle Hamlet, as shown on Schedule “B-2” of this Plan.

Notwithstanding any other policy of this Plan to the contrary, the lands shown as Special Policy 4.5.3.v) on Schedule “B-2” of this Plan shall be subject to the following additional policies:

a. the minimum lot area for the development of a new Business Park use shall be 4000 square metres; and

b. site design of any proposed development on the lands in this Special Policy area will demonstrate how any negative impacts from a Business Park use will be avoided on existing residential uses within this Special Policy area. These may include physical buffering and screening features like berms and tree plantings, separation distances, and/or mitigation of the negative impact at the source. In addition, development will be

required to address any additional land use compatibility matters deemed necessary in accordance with Section 3.18 of this Plan.

4.6 Highway Service Centre

The Highway Service Centre designation is shown on Schedule "B" of this Plan.

4.6.1 Goals

The following goal is established for the Highway Service Centre area:

vi) to provide a convenient, accessible and fully integrated highway transportation-related service centre at a location along the Highway 401 corridor which is capable of providing a broad range of services and amenities to meet the growing and evolving needs of the North American trucking industry and the motoring public.

4.6.2 Policies

The following policies shall apply to those lands designated "Highway Service Centre" on the Land Use Schedules of this Plan:

i) this 46 hectare site will be developed, managed and operated as a single, comprehensive and integrated highway service centre facility;

ii) the permitted use at this location shall be a highway transportation related service centre which shall consist of: truck and trailer repair garages, service stations, towing services, washing establishments; sales, leasing and rental establishments; fuel depots; restaurants; hotels and motels; overnight accommodations for truck and recreational vehicles; warehousing and load transfer facilities; customs facilities; and other similar commercial businesses that serve the needs of the North American trucking industry and the motoring public including uses ancillary to the principle uses such as health and fitness facilities, medical and personal service establishments and financial services;

iii) an autonomous vehicle testing facility shall also be a permitted use on lands designated Highway Service Centre;

iv) all development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O., 1990;

v) all development within the Highway Service Centre designation shall be serviced by municipal piped water and a sanitary sewage treatment facility approved in accordance with the requirements and associated

guidelines of the Ministry of the Environment, Conservation and Parks and the Town;

vi) lands designated Highway Service Centre shall be zoned in an appropriate holding zone in the Town's Zoning By-law pending Council approval of a comprehensive development and servicing plan for the site. Prior to the removal of the holding zone symbol on all or a portion of the lands designated Highway Service Centre, Council, as well as the agencies noted below, shall have regard to the following policies:

a. a comprehensive development and servicing plan for the entire site shall be completed to the satisfaction of Council, the Essex Region Conservation Authority, and the Ministry of the Environment, Conservation and Parks;

b. a quantity and quality stormwater management plan for the entire site shall be completed to the satisfaction of the Essex Region Conservation Authority, the Ministry of the Environment, Conservation and Parks, the Ministry of Transportation, the County of Essex, and the Town. The recommendations of this study shall be implemented through appropriate clauses in the associated site plan control and development agreements;

c. a traffic impact study shall be completed to the satisfaction of the Ministry of Transportation, the County of Essex, and the Town to ensure that safe and efficient vehicular access is provided to the site. The recommendations of the study shall be implemented through appropriate clauses in the associated site plan control and development agreements and as conditions attached to the required access permits;

d. a development agreement shall be prepared and executed to the satisfaction of the Essex Region Conservation Authority, the Ministry of Transportation, the Ministry of the Environment, Conservation and Parks, the County of Essex, and the Town; and

vii) it is the policy of this Plan that the further subdivision of land designated Highway Service Centre shall be prohibited.

4.7 Community Facility

The Community Facility designation is shown on Schedules "B-1", "B-2" and "B-3" of this Plan.

4.7.1 Goals

The following goals are established for the Community Facility area:

i) to facilitate and support public and private sector projects and programs that will expand the range of facilities and community services that are available for use by Town residents;

ii) to encourage and support school board and parent initiatives that will ensure that adequate educational facilities are available to meet the needs of existing and future Town ratepayers;

iii) to ensure that community facility uses are situated in areas of the Town which are suitable for their intended use, and minimize land use conflicts with other uses;

iv) to encourage community facilities to be co-located in community hubs to promote cost effectiveness and facilitate service integration, access to transit and active transportation; and

v) to ensure that community facilities are strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.

4.7.2 Policies

The following policies shall apply to those lands designated Community Facility on the Land Use Schedules of this Plan:

i) the permitted uses shall include schools, places of worship, nursing homes, rest homes, retirement homes, community centres, cemeteries, private clubs, places of assembly, libraries, and other buildings and facilities used by the Town, the County and other levels of government;

ii) wherever possible, schools should be considered and used as multi-purpose facilities, and should be available for use by the surrounding neighbourhood and broader community for leisure, recreational, educational, and other community sponsored events and activities;

iii) joint use agreements may be used by the Town to maximize the benefits associated with shared facilities and services owned by other public agencies, boards, non-profit organizations or clubs, and operated and maintained for the enjoyment and well-being of the community at large;

iv) wherever possible, new school sites should be located adjacent to park sites to enable a sharing or joint-use of facilities and programs;

v) wherever possible, new school sites should be located centrally within neighbourhoods or groups of neighbourhoods to promote walking and cycling;

vi) adequate precautions shall be taken to ensure that the community facility uses do not have adverse impacts on adjacent land uses;

vii) that the Town assess opportunities for the purchase of excess school lands from the relevant school board with a view to retaining and/or expanding parkland for existing and future populations in under-serviced areas of the Town; and

viii) all development in the Community Facility designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990;

4.7.3 Special Community Facility Policies

i) Special Policy Affecting the 12.1 Hectare Property Located on the Southeast Corner of the Banwell Road/Shields Avenue Intersection (Tecumseh Vista School).

Notwithstanding any other policy of this Plan to the contrary, development on these lands shall be in accordance with the following specific policy:

a. a buffer area, within which no buildings or structures or human occupancy are permitted, shall be established on the subject lands within a 46 metre radius of the rear lot line of the abutting property located at 11684 County Road 42 upon which is located a wholesale and retail fireworks establishment subject to licensing from Natural Resources Canada. The implementing Zoning By-law shall zone the buffer land accordingly. The corresponding site plan control agreement shall establish that this buffer area shall be enclosed by a barrier fence with a minimum height of 1.8 metres. Notwithstanding this requirement for a buffer area, alternative mitigation measures between the subject lands and the wholesale and retail fireworks establishment at 11684 County Road 42 may be implemented and the buffer area rezoned to permit buildings, structures and uses permitted by the Community Facility designation subject to the approval of Natural Resources Canada and the Town. If the abutting wholesale and retail fireworks establishment ceases to operate from its current location, the foregoing buffer area would no longer be required and the Zoning By-law may be amended accordingly.

4.8 Recreational

The Recreational designation is shown on Schedules "B-1", and “B-2" of this Plan. The Parks and Recreation Master Plan provides the community with a long range planning document that helps guide investment in the Town's parks, recreation, trails and sports system. The goals and policies of this Section reflect the recommendations of the Town’s Parks and Recreation Master Plan.

4.8.1 Goals

The following goals are established for the Recreational area:

i) to ensure that the Town maintains an adequate supply of parks, open space and recreational facilities to meet the needs of its residents;

ii) to ensure that recreational uses are located in suitable locations so as to maximize their accessibility to area residents and minimize their conflicts with other uses;

iii) to design, create and maintain a continuous linear open space system, connecting various parks, residential neighbourhoods, commercial areas, employment areas and remaining natural heritage sites with each other;

iv) to obtain the support of and cooperation of local school boards, ratepayer groups, and local school councils to maximize the use of school and Town properties for recreational and educational purposes; and

v) to work with local service clubs, interested groups and agencies to acquire, develop and maintain the park and open space areas in keeping with evolving community needs.

4.8.2 Policies

The following policies shall apply to those lands designated Recreational on the Land Use Schedules of this Plan:

i) the permitted uses shall include indoor and outdoor, public and private recreational uses such as parks, playgrounds, golf courses, arenas and clubs. Wherever possible, recreational uses serving the community at large should be part of a multi-use, larger, more visible and adaptable facility and/or site;

ii) it shall be the policy of Council to acquire additional parkland, as funds are available, in order to generally maintain the following standards:

a. Neighbourhood parks: 1.0 hectare per 1,000 population;

b. Community parks: 2.0 hectares per 1,000 population; and

c. Specialized parks and open space: 3.5 hectares per 1,000 population

iii) wherever possible, new neighbourhood parks should be sited adjacent to elementary school sites or other complementary land uses to encourage a sharing or joint-use of facilities and programs;

iv) the following locational criteria should be applied when siting new neighbourhood park facilities in the Town:

a. they should be centrally located and within easy walking distance of the persons who will use the park on a regular basis;

b. park sites should be visible and accessible to the neighbourhood, and should have at least 25 percent of the perimeter of the site fronting onto neighbourhood streets; and

c. where possible, neighbourhood park sites should be connected with and be designed as part of an overall “greenway system” via existing and new trails, natural corridors, and walkway/bikeway features;

v) the Town supports the reuse of abandoned railway rights-of-way for recreational uses, such as walking, cycling and other physical and leisure activities. The permitted uses within these corridor areas shall include public and private recreational uses. Existing major utility corridors as shown on Schedules “B-1" and “B-3" of this Plan should also be considered for these types of recreational uses;

vi) the Town will require a 5% parkland dedication as a condition of the approval of every future residential development proposal. Land to be conveyed to the Town for park purposes shall be accepted only if the property is suitable for park purposes and needed in the immediate area. As an alternative parkland dedication standard, the Town may require land to be dedicated on the basis of one hectare for each 300 residential units as required under the Planning Act;

vii) The Town may request cash-in-lieu for all or part of any required land dedication under the Planning Act under the following circumstances:

a. where the parcel of land is either too small or poorly located to meet parkland needs;

b. in an area that has excess parklands;

c. where the condition of the land is unsuitable for park purposes;

d. where no opportunity exists to enlarge existing neighbourhood parks; and

e. where a large development project is within reasonable walking distance to an existing park, provided that the trip does not involve crossing an arterial road;

viii) in assessing parkland dedication for a development proposal, natural heritage features, which may include floodplain areas in some locations, shall not normally be used in calculating the cash-in-lieu payment or for the purposes of fulfilling the parkland dedication requirement;

ix) where possible, parkland should be located in conjunction with and adjacent to stormwater management facilities to achieve maximum area of open space;

x) that the Town assess opportunities for the purchase of excess school lands from the relevant school board with a view to retaining and/or expanding parkland for existing and future populations in under-serviced areas of the Town; and

xi) all development in the Recreational designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

4.9 Natural Heritage System

The Town supports the establishment of a Natural Heritage System, which builds upon the natural heritage system established in the County Official Plan and the Essex Region Natural Heritage System Strategy, 2013 (ERNHSS). The Natural Heritage System contains potential linkages and corridors as well as expansions to the core existing natural heritage features. It reinforces the protection, restoration and enhancement of identified natural heritage features, and promotes the overall diversity and interconnectivity of natural heritage features, functions and areas. The policies of this Plan support a combined approach to the Town's Natural Heritage System which includes protection for both the natural heritage features that are linked together as well as natural heritage features and areas that are geographically isolated from the linked system. An additional component of the Natural Heritage System is aquatic and fish habitat and the Plan also provides policies intended to ensure their protection.

The natural heritage features that comprise the Natural Heritage System are mapped on Schedule "C" to this Plan and include:

i) **Natural Environment** – includes significant wetlands, significant woodlands, significant habitat of endangered species and threatened species, significant natural heritage features, and high priority natural

heritage features in the Town that meet at least 5 of the 11 natural heritage feature criteria outlined in the ERNHSS or other lands deemed appropriate by the Town and ERCA;

ii) **Natural Environment Overlay** - includes secondary priority natural heritage features in the Town that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS; and

iii) **Restoration Opportunities Overlay** - includes secondary restoration lands that meet 1 to 2 of the 5 restoration opportunity criteria outlined in the ERNHSS.

4.9.1 Goals

The following goals are established for the Natural Heritage System:

i) to facilitate and support the preservation, protection and enhancement of existing natural heritage features;

ii) to recognize the Essex Region Natural Heritage System Strategy as a means of providing technical direction towards the location and establishment of the Town's Natural Heritage System as per the Provincial Policy Statement 2020;

iii) to work with private property owners to support the preservation and enhancement of natural features and to develop implementation mechanisms to protect high priority restoration opportunity areas including, but not limited to, voluntary landowner stewardship policies, financial programs, and attaching conditions to development approvals;

iv) to increase the size of core natural areas and to create and protect linkages and corridors as part of a linked Natural Heritage System connecting wildlife habitat areas to each other, human settlements to human settlements and people to nature. Inter-municipal co-ordination to accomplish this goal is encouraged;

v) to support partnerships with the Essex Region Conservation Authority, local municipalities, and other partners, that result in plans to appropriately manage ecologically sensitive lands that are in public ownership, discourage the introduction and spread of invasive species, and promote a high level of biodiversity;

vi) to encourage private individuals and businesses to participate in tree planting, restoration and stewardship programs and opportunities that will ultimately enhance the Natural Heritage System;

vii) to maintain and enhance vegetated buffers along municipal drains, where feasible, in order to support the Natural Heritage System and to

identify options for implementation of restoration opportunities adjacent to streams and municipal drains;

viii) to support 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 of designated natural heritage features and strengthen the overall Natural Heritage System; and

ix) to support the development of policies and programs to protect and enhance natural heritage features and Natural Heritage Systems. This work may include partnerships with conservation organizations such as ERCA and regional municipal partners to encourage the regional protection and implementation of a Natural Heritage System.

4.9.2 Policies

The following policies apply to the Town's Natural Heritage System identified on Schedule "C" to this Plan:

i) the Town will work with private property owners and agencies toward preserving and enhancing natural features;

ii) the Town will encourage opportunities that may arise with development proposals for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions for protecting and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation;

iii) the Town will encourage that, wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. The Town will encourage the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new development. Financial compensation for tree loss is not considered the preferable means of appropriate mitigation for development;

iv) the Town will support the development of a policy for restoration and compensation where avoiding an impact to the natural heritage feature or Natural Heritage Systems is unavoidable. This framework will be supportive of the Natural Heritage System goals and ensure that the approach to no negative impact reflects the principle of a net gain or benefit to the Natural Heritage System;

v) in recognizing that vegetated buffers along municipal drains enhance the Natural Heritage System, the Town will work with the Drainage Superintendent and the Drainage Engineer during the preparation of drainage reports under Sections 4 and 78 of the Drainage Act to

incorporate vegetated buffers that are within the Restoration Opportunities Overlay on Schedule “C”, where feasible;

vi) the Town, in consultation with ERCA, non-government organizations and private landowners, will identify and establish corridors or linkages over time through initiatives such as reforestation or regeneration projects;

vii) the Town recognizes that a Natural Heritage System would benefit from public ownership to ensure protection of the features and to provide for public access, where appropriate. The Town will consider all options, including the acquisition of land or the placement of conservation easements on land associated with natural heritage features, functions and linkages. Notwithstanding the options for the acquisition of lands as part of a Natural Heritage System strategy, the County, Town or any other public agency will not be obligated to acquire or purchase any land;

viii) the significant habitat of endangered species and threatened species is not shown on the Land Use Schedules; however, it can occur in the natural heritage features and areas mapped on the Official Plan Schedules. 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 Environment, Conservation and Parks (MECP) administers the Endangered Species Act, 2007 (ESA) to protect and conserve species at risk and their habitats. Under the ESA, the MECP is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement 2020. For the purposes of the PPS, MECP is responsible for approving the delineation of significant habitat of endangered species and threatened species. Environmental Impact Assessments or other planning reports may help with identifying the extent of the significant habitat of endangered species and threatened species. The significant habitat of endangered species and threatened species will be based on a consideration of the following:

a. assessments reviewed and approved by the MECP regarding the extent of the species’ habitat;

b. habitats or areas delineated by MNR and/or regulated under the ESA; and

c. habitat that is necessary for the maintenance, survival, and/or the 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.

ix) the extent and diversity of natural heritage features in an area, and the natural connections between them, should be preserved and enhanced where possible. Natural connections will generally follow watercourses with their associated flood and erosion susceptible areas, unstable lands, steep slopes and other physical conditions that create hazards and will also generally follow the natural heritage features in the rural areas of the Town. Riparian buffering and other similar initiatives are encouraged;

x) natural heritage features are recognized as viable components of farming operations;

xi) on lands designated Agricultural that have significant natural heritage features or are adjacent to areas with significant natural heritage features, the construction of greenhouses and other agricultural buildings is strongly discouraged. In most instances the construction of greenhouses and large agricultural buildings within such areas will have a negative impact and therefore would not be permitted. Other locations on the farm can be used for such purposes;

xii) the participation of natural heritage feature owners in voluntary stewardship agreements, and where eligible, in conjunction with compensation programs such as Ecogifts, the Managed Forest Tax Incentive Program and the Conservation Land Tax Incentive Program will be encouraged;

xiii) the natural heritage features under private ownership continue to be private and their identification as natural heritage features in no way increases their accessibility to the public or their eligibility for public acquisition;

xiv) in addition to the above policies, the Town may undertake the following in consultation with the Essex Region Conservation Authority:

a. cooperate in identifying and protecting inter-municipal natural connections regarding multi-purpose (recreational/utility/natural) connections and linkages which cross municipal boundaries;

b. establish goals and strategies to increase the amount of natural heritage area. One way to achieve this is to have a “State of the Environment Report” prepared and presented to Council on a regular basis; and

c. require that when considering development proposals, the approval authority may require the land owner to enter into an agreement regarding the preservation and enhancement of the trees and vegetation on the property. Where forest cover is to be provided as a condition of a development approval, the use of a variety of indigenous species of vegetation is encouraged.

4.9.3 Natural Environment

The Natural Environment designation is shown on Schedules "B", "B-2" and "C" of this Plan. Natural Environment features are the most significant components of the Natural Heritage System and include significant wetlands, significant woodlands, significant habitat of endangered species and threatened species, significant natural heritage features, and high priority natural heritage features in the Town that meet at least 5 of the 11 natural heritage feature criteria outlined in the ERNHSS or other lands deemed appropriate by the Town and ERCA.

4.9.3.1 Policies

The following policies shall apply to those lands designated Natural Environment on the Land Use Schedules of this Plan:

i) development and site alteration is not permitted on lands designated Natural Environment; and

ii) permitted uses on lands designated Natural Environment shall be limited to passive recreational uses and activities that create or maintain infrastructure authorized under an environmental assessment process or work subject to the Drainage Act.

4.9.4 Natural Environment Overlay

The Natural Environment Overlay is shown on Schedules "B-1", "B-2" and "C" of this Plan and includes secondary priority natural heritage features in the Town that meet 1 to 4 of the 11 natural heritage feature criteria outlined in the ERNHSS.

4.9.4.1 Policies

The following policies apply to those lands identified as Natural Environment Overlay on the Land Use Schedules of this Plan:

i) development and site alteration is not permitted on lands within the Natural Environment Overlay unless it has been demonstrated to the satisfaction of the approval authority and/or the Town, in consultation with the Essex Region Conservation Authority, that there will be no negative impacts on the natural features or their ecological functions;

ii) prior to the consideration of any Planning Act application, an environmental impact assessment shall be completed in accordance with the Environmental Impact Assessment Guidelines published by ERCA and endorsed by the County and Town as updated from time to time;

iii) permitted uses on lands within the Natural Environment Overlay shall be in accordance with the underlying land use designation; and

iv) activities that preserve and enhance the features contained with the Natural Environment Overlay, such as tree preservation, tree planting, and establishing and improving linkages, are encouraged.

4.9.5 Restoration Opportunities Overlay

The Restoration Opportunities Overlay is shown on Schedule "C" of this Plan and includes secondary restoration lands that meet 1 to 2 of the 5 restoration opportunity criteria outlined in the ERNHSS. The Restoration Opportunities Overlay applies to lands that do not contain existing natural heritage features, however they have been identified as potential ecological restoration areas to enhance the fragmented system in the Town and within the region.

4.9.5.1 Policies

The following policies apply to those lands identified as being a Restoration Opportunities Overlay as identified on Schedule "C" to this Plan, and outlined in the Essex Region Natural Heritage System Strategy (ERNHSS) prepared by the Essex Region Conservation Authority:

i) prior to the approval of any Official Plan Amendment or Secondary Plan, Zoning By-law Amendment, plans of subdivision/condominium, or during the preparation of any Environmental Assessment for infrastructure, an Environmental Impact Assessment shall be undertaken that evaluates the following:

a. opportunities to restore and enhance the natural heritage features in the area, including the establishment of linkages;

b. the incorporation of Low Impact Development elements into the project where suitable site conditions permit;

c. opportunities to establish buffers into the project design that would promote the natural restoration of an area;

d. opportunities to set aside strategic areas for restoration and enhancement;

e. opportunities for local stewardship, naturalization, and education about the benefits of enhancing the area natural heritage system;

f. opportunities for public acquisition; and

g. if lands are not acquired then the lands will be placed in a protected designation and zone.

ii) prior to the construction of any new municipal drains under Section 4 of the Drainage Act or any work completed under Section 78 of the Drainage Act within the Restoration Opportunities Overlay as shown on Schedule "C" of this Plan, a Drainage Report shall be prepared in accordance with the Drainage Act that may consider, where feasible and as recommended by the Drainage Engineer, the establishment of vegetated buffers to enhance the Natural Heritage System. This approach is in keeping with best management practices recommended by OMAFRA and Agriculture and Agri-Food Canada (AAFC).

4.9.6 Aquatic and Fish Habitat

The Town recognizes that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem. Aquatic and fish habitat restoration opportunities may be implemented through subwatershed studies, Secondary Plans, and on an individual lot basis. Development and site alteration shall not be permitted in aquatic and fish habitat except in accordance with provincial and federal requirements. Waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats, as listed in the federal Species at Risk Act are considered natural heritage features and areas. The location of such waters and habitats are identified by the Department of Fisheries and Oceans (DFO) on the Fisheries and Oceans Canada aquatic species at risk distribution and critical habitat maps and in documents available on the federal Species at Risk Act Public Registry.

4.9.6.1 Policies

When considering impacts to aquatic and fish habitat areas, the following policies shall apply:

i) development and site alteration shall not be permitted in waters supporting aquatic species at risk (fishes and mussels), and their residences and critical habitats as identified by the Department of Fisheries and Oceans (DFO) unless an assessment demonstrates that there will be no negative impacts on natural heritage features and areas and ecological functions, and Species at Risk Act provisions have been addressed, in accordance with provincial and federal requirements. An EIA may be required if there may be potential

impacts that may contravene the federal Species at Risk Act from activities occurring in adjacent areas, within 120 metres of the boundary of such waters, residences or critical habitats. Through an EIA and fish habitat mitigation/compensation assessment, in consultation with the Town and the DFO, it is the Town's objective to secure no net loss of productive capacity of fish habitat, and where possible, secure a net gain of productive capacity of fish habitat. The EIA shall indicate how the project will be carried out to remain in compliance with the Species at Risk Act, which may include: modifying the project to avoid impact, development of appropriate mitigation, or acquiring a Species at Risk Act permit to carry out the activities;

ii) any development or change in land use near or adjacent to an existing or potential fish habitat area will be reviewed by the Town in consultation with the DFO with respect to the potential impact. Any such proposal will be subject to an EIA to determine if it will result in a reduction of the fish habitat;

iii) the Town may determine the minimum vegetative buffer zone adjacent to existing or potential fish habitat areas where development is proposed;

iv) where it has been determined by the Town, in consultation with the DFO, that the development or change in land use will affect the natural functions of the fish habitat, the preparation of a fish habitat mitigation/compensation assessment will be required. The assessment will typically be required to include the following information:

a. identify the nature and extent of potential impacts;

b. determine appropriate mitigative measures to protect the affected fish habitat;

c. specify compensation for loss of fish habitat through near-site replacement of habitat, off-site replacement of fish habitat or an on-site increase of fish habitat capacity;

d. determine appropriate buffering and how such buffering will be protected in the future; and

e. address other matters as determined by the DFO;

v) any requirements imposed through a fish habitat mitigation/compensation assessment will be implemented by the proponent with input from, and to the satisfaction of the Town and/or the DFO;

vi) where it is determined by the Town and/or the DFO, that any development will cause negative impacts to fish habitat, such development may not be permitted; and

vii) subwatershed studies may be prepared to provide additional policy guidance related to the protection and enhancement of fish habitat and the specification of protective or mitigative measures.

4.9.7 Environmental Impact Assessments

4.9.7.1 Policies

The following general policies apply to the areas adjacent to those lands designated as Natural Environment as well as all other areas that have significant natural heritage features (i.e. Natural Environment Overlay) or are adjacent to areas containing significant natural heritage features and Restoration Opportunity Overlay as shown on Schedule "C".

i) the purpose of an Environmental Impact Assessment is to:

   a. collect and evaluate information to provide a more complete understanding of the boundaries, attributes and functions of natural heritage features and associated ecological and hydrological functions that exist;

   b. determine whether there are any additional natural heritage features on the lands and adjacent lands; and

   c. make an informed decision as to whether the proposed development and/or site alteration will have an impact on the natural heritage features and ecological and hydrological functions;

ii) the preparation of all environmental impact assessments referred to in this Plan shall be the responsibility of the landowner and shall be carried out by a qualified environmental professional. The environmental impact assessment is to be prepared in accordance with the Environmental Impact Assessment Guidelines published by ERCA and endorsed by the Town and County on the basis of the natural features or the ecological function for which the area has been identified;

iii) when conducting the environmental impact assessment, the environmental professional must acknowledge in the report any new information, such as findings of rare or significant species not previously known to exist on the site, and the impact which may result from any proposed development. The County, Town and/or other approval authority shall have regard to such new information in its decisions regarding planning applications. If, based on the new information, the approval authority, in consultation with the Essex

Region Conservation Authority, concludes that the natural environment classification should be altered, this Official Plan will be amended to implement the change;

iv) removal of a natural heritage feature for the purpose of lowering the natural environment classification in this Plan and/or otherwise affecting the environmental impact assessment, will not be sufficient grounds for amending the planning documents to a lower classification and will invalidate the environmental impact assessment;

v) in areas other than those designated Natural Environment on Schedule “C” of this Plan, altering the state of the natural heritage features as a result of conducting permitted uses (i.e. clearing lands for agricultural uses) will not be considered negatively by the approval authority. To assist with determining the alteration of a natural heritage feature over time, the Town will use the April 2000 and most recent aerial photography as one of the tools to establish the alteration in relation to the enlargement or retraction of a feature. This does not invalidate the application of policy iv) above; and

vi) new development proposed within 120 metres of an adjacent municipal boundary will include a review of applicable planning policies and documents and field verification of natural heritage features, if any, in the abutting municipality. This information will then inform the Environmental Impact Assessment.

Section 5 Natural Resources and Hazards

5.1 General

In partnership with the Federal and Provincial governments, the Essex Region Conservation Authority, and the County of Essex, the Town strives to protect natural resources. It is a priority of the Town to ensure the sustainable use of resources and to reduce the risk to public safety and property from hazards, such as flooding, unstable slopes and human made hazards.

5.2 Mineral Resources

In accordance with the Provincial Policy Statement, it is the policy of this Plan that mineral resources will be protected for long-term use. In the Town, the only known mineral resource are salt deposits as illustrated on Schedule "F" to this Plan. Mineral resources will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. In areas adjacent to know mineral resources, development which would preclude or hinder the establishment of new operations or access to the resource will only be permitted if:

i) resource use would not be feasible;

ii) the proposed development and change in land use serves a greater long-term public interest; and

iii) issues of public health, public safety and environmental impact are addressed.

Rehabilitation will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible. As established in the policies contained this Plan for lands designated Agricultural, extraction will be permitted in prime agricultural areas provided the site is rehabilitated to agricultural use. Final rehabilitation shall take surrounding land and approved land use designations into consideration.

5.3 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

The following will be the policy of the Town:

i) wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be permitted without requiring an amendment to this Plan or the Zoning By-law, but

will not be permitted adjacent to or within the Natural Heritage System features or Settlement Areas. Utilization of aggregate from sites licensed under the Aggregate Resources Act and wayside pits and quarries will be encouraged;

ii) wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be subject to Site Plan Control in accordance with Section 10.4 of this Plan;

iii) concession or temporary construction and marshalling yards used for public authority projects will be permitted without requiring an amendment to this Plan or Zoning Bylaw, but will not be permitted adjacent to or within Natural Heritage System features or Settlement Areas;

iv) concession or temporary construction and marshalling yards used for public authority projects will be subject to Site Plan Control in accordance with Section 10.4 of this Plan; and

v) the Town will ensure that the necessary statutory and municipal approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

5.4 Water Resources

The Town contains streams and rivers draining to Lake St. Clair and the Detroit River. Among other resources, the lake, streams and rivers support the natural environment and the existing community. Water resource issues arise from various forms of human activity. Demands on water resources can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating lake water quality, flooding and erosion.

The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by both existing residents and businesses, and supporting future growth. Integrating land management and the protection of water allows for the continuance of a healthy environment, solid economic development and healthy communities.

The Town contains four major watershed systems. The Pike Creek forms a portion of the easterly boundary of the Town and drains directly to Lake St. Clair. A portion of the Upper Little River Watershed lies within both the Tecumseh and Oldcastle Hamlets and ultimately drains into the Detroit River. The Turkey Creek Watershed is in the southwesterly portion of the Town and drains into the Detroit River through the Town of LaSalle. The Canard River Watershed is also situated in the southwest portion of the Town and drains into the Detroit River through the Towns of Amherstburg and LaSalle. The Essex Region Conservation Authority manages and regulates these

watersheds.

The following will be the policy of the Town:

i) the Town will work cooperatively with the Essex Region Conservation Authority in dealing with land management issues within the subwatersheds draining to Lake St. Clair and the Detroit River, including those that extend beyond the Town boundaries into the City of Windsor, the Town of LaSalle, the Town of Amherstburg and the Municipality of Lakeshore;

ii) the Town acknowledges the benefits of watershed and subwatershed management plans and will work with ERCA, the County of Essex and abutting municipalities, where necessary, to prepare these types of plans in order to assist in water resource and land use planning on an ecosystem basis;

iii) the Town will support appropriate flood control management programs of the Essex Region Conservation Authority;

iv) the Town will encourage the protection and restoration of natural heritage features to improve water quality and quantity;

v) planning applications that propose to make use of a private water source will be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction. The hydrogeological study will be prepared to the satisfaction of the Town, ERCA and the County, in consultation with the Province;

vi) the Town will require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. Applications for development will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with Section 8.3 of this Plan;

vii) in cooperation with the private sector and the community, the Town will encourage the reduction of water consumption levels through the promotion of the efficient use of water and may specify appropriate water conservation measures within existing and new development; and

viii) where deemed necessary, the Town may work with various agencies to develop a septic system management program for the Town. Through a collaborative effort with other partners, the management program will consider opportunities including but not limited to: the Ontario Building Code, facility design and permitting, landowner education and awareness, as well as monitoring and inspections.

5.4.1 Source Water Protection

The Essex Region Source Water Protection Plan and associated technical studies (Assessment Report) look at the current and future sources of municipal residential drinking water, identify the potential threats to these sources and include policies for actions and programs to reduce or eliminate these risks. All municipal decisions under the Planning Act shall conform to the significant threat policies and have regard for other policies. The policies apply to 'vulnerable areas' identified in the technical studies (Assessment Report) for the Source Protection Plan, including 'Intake Protection Zones' (IPZs), 'Highly Vulnerable Aquifers' (HVAs) and 'Significant Groundwater Recharge Areas' (SGRAs). The Town has no HVAs but SGRAs and IPZs are contained on Schedules "F" and "G" of this Plan, respectively.

5.4.1.1 Intake Protection Zones

Intake Protection Zones are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. Schedule "G" maps the Town's Intake Protection Zones. The Town contains only Intake Protection Zone 3 (IPZ-3) areas. These extend outward from IPZ-2, and cover larger watershed areas where modelling demonstrates that contaminant spills may reach the intake during an extreme rainfall or wind storm event and includes lands within 120 metres of the top-of-bank of the subject waterways, or the flood plain regulated area, whichever is greater. In the case of the handling and storage of large volumes of liquid fuel, IPZ-1, IPZ-2 and IPZ-3 are joined together collectively forming the Event Based Area (EBA).

The Event Based Area (EBA) is an area where modeling has demonstrated that a spill from a specific activity can or could cause deterioration to the raw water quality at the drinking water system. Reference must be made to the Source Protection Plan and accompanying Assessment Report for more complete details and explanations regarding these IPZs, the threats to drinking water sources, and associated policies.

The Clean Water Act requires that all decisions under the Planning Act or Condominium Act made by municipal planning authorities must conform to significant threat policies and have regard for other policies in an approved Source Protection Plan. Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat is required to conform to all applicable Source Protection Plan policies and, as such, may be prohibited, regulated or otherwise restricted by those Source Protection Plan policies. Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all development applications or proposed land use changes proposing the handling and storage of fuel on non-residential lands within the Event Based Area to the Risk Management Official (RMO) in keeping with the Written Direction provided by the RMO which may be updated from time to time.

Where the Source Protection Plan does not require an RMO notice, the local municipality should be satisfied that the proposal will not include activities which would be a significant threat in the location proposed.

The Town will notify the Source Protection Authority and Source Protection Committee of proposals to engage in an activity that may result in the creation of a new transport pathway or the modification of an existing transport pathway, which may include, but not be limited to a modification to a surface watercourse or municipal drain.

5.4.1.2 Groundwater Protection

The protection, conservation and careful management of groundwater resources is necessary to meet both the present and future needs of residents, businesses and the natural environment. As groundwater and aquifer contamination is extremely difficult and costly to rectify, prevention of contamination is the most realistic strategy. Aquifers need to be protected across the Town and Essex County to ensure a clean groundwater supply for private water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and wetlands.

The following will be the policy of the Town:

i) the Town will support initiatives of the Ministry of the Environment, Conservation and Parks, the County of Essex, ERCA, the City of Windsor, and other agencies, including the implementation of the Essex Region/Chatham-Kent Regional Groundwater Study in identifying strategies to protect groundwater resources;

ii) development and site alteration will only be permitted within an SGRA where it has been demonstrated by way of the preparation of a groundwater impact assessment that there will be no negative impact on the SGRA; and

iii) the Town will require groundwater impact assessments for development proposals as appropriate according to the level of intrinsic susceptibility and potential groundwater contaminants, if any, based on Schedule “F”.

5.4.2 Watercourses

Watercourses transport both water and sediment from areas of high elevation to areas of low elevation. Changes to the amount or velocity of water being transported or the amount or size of bed load being moved can have significant impacts on watercourses, which may result in increased erosion and flooding. Watercourses provide habitat for fish and other species to live as well as provide water for wildlife and livestock and water based recreation. Watercourses are directly related to many hazards including flooding, erosion, slope stability and natural features such as wetlands.

The following will be the policy of the Town:

i) the Town, where possible, will require the preservation and enhancement of natural stream bank vegetation and promote suitable erosion control methods;

ii) the Town will ensure that the construction of tile outlets do not contribute to erosion along watercourses;

iii) the Town will promote tree planting along watercourses, where possible, to enhance the natural corridor function, provide for cool water temperatures and protect watercourse banks from erosion;

iv) the Town will ensure that best management practices and interim measures are utilized during construction projects adjacent to watercourses to reduce sedimentation and erosion;

v) the Town, in consultation with ERCA will establish an appropriate setback from the top of bank for all new development and expansions in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat; and

vi) the Town will promote the use of watercourses and adjacent lands for pedestrian movement and passive recreation areas, where feasible.

5.5 Natural Hazards

It is the intent of the Town to protect life and property by respecting natural hazards, which may represent constraints to development. New development should only take place in areas that are not susceptible to hazards. Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption. Topographical variations of the floodplain directly affect the nature of a flood event.

There are generally two types of topography: valley topography which includes slopes and banks; and flat topography which includes riverine and shoreline floodplains. In valley topography, the floodplain is well defined and areas that are subject to flooding are generally less distinguishable from areas that are subject to minimal or no flooding. Floods within valley topography tend to be deeper and have higher velocity flows. Due to flood characteristics there is a major concern for loss of life and significant property damage. In areas characterized by flat topography the floodplain can be extensive and severely hazardous areas may not be clearly definable (riverine and shoreline). In low lying inland areas, the resulting floods tend to be shallow and of low velocity and consequently the major concern is property damage, impaired access, and reduced emergency services (e.g.,

police, fire, ambulance) and other areas along Lake St. Clair which are susceptible to wave uprush, ice conditions and erosion. Under these conditions in the inland floodplain areas, more opportunity for development is possible, provided that problems upstream or downstream are not created and the development is appropriately floodproofed and provides for appropriate safe pedestrian and vehicular access.

In some cases, where development is proposed, the Town and ERCA may require the preparation of engineering reports in order to determine the extent of the regulatory floodplain. The outcome of this analysis may impact the feasibility and location of proposed development.

Wetlands and their surrounding areas of interference are subject to regulation under the Conservation Authorities Act due to the potential hazards associated with flooding, organic soils and interference with water source/recharge areas. Filling or draining can have an impact on the hydrologic functions of a wetland, which in turn may influence the flooding and erosion processes in the area. Technical studies to determine impact of development on the wetland will be required within 120 metres of all identified wetlands. The outcome of this analysis may impact the feasibility and location of proposed development.

Schedule “D” illustrates the components of the Town’s Natural Hazard Lands: Limit of the Regulated Area (LORA); Lake St. Clair Floodprone Areas; and Inland Floodplain Development Control Areas (FDCA). The following policies will apply to all Hazard Lands:

i) the extent of the Limit of the Regulated Area, Lake St. Clair Floodprone Areas and Inland Floodplain Development Control Areas will be considered approximate on Schedule “D”. In all cases, it will be necessary to verify the boundaries on an individual basis in consultation with ERCA; and

ii) the Town, in consultation with ERCA, recognizes the need to periodically update the methodology and mapping used to evaluate and identify flood risk areas. Accordingly, the Town shall, once revised floodplain mapping is updated, conduct the necessary studies to determine the appropriate approach to mitigating flood risk. Study findings may indicate the need to undertake area-specific remediation works and possible changes in land use designations and flood risk mapping in this Official Plan. The Town is currently undertaking a Shoreline Management Plan, the findings of which may assist the Town and ERCA in developing updated floodplain mapping and associated policies.

The following additional policies shall apply to the individual components of the Hazard Lands:

5.5.1 Limit of the Regulated Area (LORA)

The Limit of the Regulated Area comprises riverine and shoreline hazards, along with associated floodplains where there may be natural heritage features with a hydrologic linkage. These hazards can be significantly impacted on by fluctuations in water level and other impacts created from ice jamming in riverine hazards and ice shove on Lake St. Clair. Subject to the other policies of this Plan, the following policies will apply to land within the Limit of the Regulated Area (LORA) as shown on Schedule "D":

i) development within the Limit of the Regulated Area, which would aggravate or contribute to the hazard will not be permitted;

ii) prior to permitting development within the LORA, the Town will be satisfied that the appropriate permits have been obtained from ERCA;

iii) all lands within the Limit of the Regulated Area are regulated by the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservation Authorities Act; and

iv) this section of the Plan must be read in conjunction with the Inland Floodplain Development Control Area policies and the Lake St. Clair Floodprone Area policies.

5.5.2 Inland Floodplain Development Control Area

Lands within an Inland Floodplain Development Control Area (FDCA) on Schedule "D" of this Plan are areas that have been identified as being susceptible to flooding under regulatory flood conditions as implemented by ERCA. This area is subject to the Development Interference with Wetlands and Alteration to Shorelines and Watercourses regulations of the appropriate Conservation Authority, and as such, a permit allowing for development activities including construction, placement of fill and alterations to shorelines and watercourses is required from the ERCA prior to undertaking such activities.

Where a landowner is proposing development in close proximity to a watercourse where a flood line study has not been completed, the landowner may be required to undertake a detailed flood line study consistent with the requirements established in the Technical Guide – River and Stream Systems: Flooding Hazard Limit published by the Ministry of Natural Resources and any other requirements deemed applicable at that time.

The Town will utilize a two-zone concept to floodplain management. Under the two-zone approach to floodplain management, the Town will, to the satisfaction of ERCA, identify the floodway (the area that is subject to deeper, faster flows, which acts as the channel in times of flooding) and the flood fringe (the outer portion of the floodplain between the floodway and the

flooding hazard limit, which are subject to depths and velocities of flooding that are generally less severe than those experienced in the floodway). Development is prohibited in the floodway with the exception of buildings and/or structures required for flood and erosion control. It has been determined that a setback of 8 metres plus the depth of the watercourse or municipal drain, to a maximum of 15 metres, will constitute the floodway, for the majority of watercourses.

The following will be the policy of the Town:

i) the regulatory flood standard for floodplains will be the 1:100 or maximum observed flood condition for the Essex Region watersheds;

ii) development and site alteration shall not be permitted within:

   a. areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and

   b. a floodway regardless of whether the area of inundation contains high points of land not subject to flooding;

iii) development and site alteration in the Inland Floodplain Development Control Area, other than within those areas identified in Section 5.5.2 ii), may be permitted provided that the existing or potential hazards can be overcome by accepted engineering techniques and resource management practices which meet the approval of the Town, ERCA, and other appropriate agencies as necessary, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:

   a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;

   b. existing hazards are not aggravated or new hazards are not created;

   c. no adverse environmental impacts will result;

   d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;

   e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and

f. development is carried out in accordance with established standards and procedures;

iv) in considering development in the FDCA, other than within the areas identified in Section 5.5.2 ii), the Town and ERCA will consider:

a. the existing physical hazards;

b. the potential impacts of these hazards;

c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques, such as those set out in Provincial technical manuals; and

d. the costs and benefits in economic, social and ecological terms of any engineering works or resource management practices needed to overcome these impacts;

v) any new development permitted within the FDCA must meet minimum flood protection standards to the satisfaction of the Town and ERCA;

vi) as part of the approval process for new developments, the Town, along with ERCA, will ensure that appropriate vehicular access routes are planned and available during flood events;

vii) the following uses will be prohibited within the FDCA:

a. uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;

b. institutional uses such as hospitals, nursing homes, retirement homes, daycare centres and schools; and

c. uses associated with services such as fire, ambulance, police or electrical substations.

5.5.3 Lake St. Clair Shoreline Floodprone Area

Lands within the Lake St. Clair Shoreline Floodprone Area on Schedule “D" of this Plan are areas that have been identified as being susceptible to flooding. The flooding and erosion hazard limits for the Great Lakes, including Lake St. Clair, have been established in order to regulate development in areas susceptible to periodic flooding and/or erosion hazards. As such, ERCA should be contacted when planning for new development and/or site alteration to determine permit requirements. The land uses permitted within the Lake St. Clair Shoreline Floodprone Area are determined by the underlying land use designations identified on Schedule “B-1” and are based on the one in one-hundred year (1:100) flood standard

plus an allowance for wave uprush and/or other water related hazards for the Essex Region. The implementing Zoning By-law will prescribe certain setback and minimum floodproofing elevation requirements for development within the floodprone area and setbacks from the top of bank for erosion prone area. Generally, the setbacks and minimum elevation requirements will vary depending on whether or not approved shore protection works are installed in addition to addressing other issues relative to the hazard, such as conditions on adjacent properties. The required setbacks and minimum elevations will be determined in consultation with ERCA. These areas are subject to ERCA's regulations, and a permit allowing for such activities as: building and/or construction, grading of fill and/or breakwall and other shoreline construction works will be required. The following will be the policy of the Town:

i) in order to protect a building from lake-related flooding, it will be required to be floodproofed to the Regulatory Flood Standard. In order to protect a building from wave uprush and other water related hazards, an appropriate setback from the defined shoreline of Lake St. Clair may also be required. This setback will vary depending on the condition of the shoreline, the type of protection being provided and the condition of the shoreline on adjacent lands;

ii) climate change may have significant impacts on lake and river levels as well as storm intensity and duration. The shoreline of Lake St. Clair is subject to naturally fluctuating lake levels, regular wave action and storms. Development will generally be directed to areas outside of the flood hazard limit and the erosion hazard limit;

iii) development and site alteration will not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or other water related hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development, and the natural hazard;

iv) development and site alteration may be permitted in the Lake St. Clair Floodprone Areas other than those identified in Section 5.5.3 iii), in consultation with ERCA, and where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:

    a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;

    b. existing hazards are not aggravated or new hazards are not created;

    c. no adverse environmental impacts will result;

d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;

e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and

f. development is carried out in accordance with established standards and procedures.

v) in cases of severe water or erosion damage to Town roads or other Town properties, studies will be undertaken to compare the costs of erosion abatement with structure relocation, road closing or relocation, or the acquisition of new properties. Alternatives will be considered prior to any erosion abatement scheme or other course of action being undertaken;

vi) the replacement of an existing building or structure may be permitted provided the hazard has been adequately addressed through the use of accepted engineering and resource management practices. Acceptable replacement will not result in an increase in the original usable floor area of the building or structure, or alter the original use or affect shoreline processes;

vii) there may be areas where the hazard needs to be addressed on a comprehensive basis, rather than on an individual lot basis. Replacement of an existing building or structure may need to be evaluated in the context of a comprehensive review of the particular hazard. The Town will consult with ERCA in this regard;

viii) nothing in the above policies will be interpreted to prohibit the relocation of an existing building or structure presently located within the erosion hazard limit either to a location farther away from the top of bank on the same lot or to another lot farther away from the top of bank, even if still within the erosion hazard limit. If a structure is relocated to another lot, no replacement structure may be constructed on the lot from which the original structure was moved, unless it is located on an area outside of the farthest landward of the flood hazard limit and the erosion hazard limit;

ix) any new development permitted within the Lake St. Clair Shoreline Floodprone Area must meet minimum flood protection standards to the satisfaction of the Town and ERCA;

x) as part of the approval process for new developments, the Town along with ERCA, will ensure that appropriate vehicular access routes are planned and available during flood events; and

xi) the following uses will be prohibited within the Lake St. Clair Shoreline Floodprone Area:

a. uses related to manufacturing, storage, disposal or consumption of hazardous substances or the treatment, collection or disposal of sewage;

b. institutional uses such as hospitals, nursing homes, retirement homes, daycare centres and schools; and

c. uses associated with services such as fire, ambulance, police or electrical substations.

5.5.4 Other Hazards (Unstable Soils & Steep Slopes)

There is land subject to hazards due to steep slopes, unstable soils and/or erosion in locations other than flood plains or the shoreline area. Development of such areas may be considered provided that the existing or potential hazards can be overcome by accepted engineering and resource management practices and techniques, including setbacks from the stable top of bank. The stable top of bank will be determined by a qualified professional, in consultation with the Town and ERCA. The required setback will reflect the degree, severity and extent of the hazard. The erosion hazard (slope setback) will be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance. The Town, in consultation with ERCA, may require a geotechnical study or engineering analysis in order to determine the feasibility of proposed development in the above-mentioned areas. A minimum setback may be included in the implementing Zoning By-law. The following will be considered in the review of development proposals within hazard areas associated with unstable slopes, and the Town will consult ERCA in this regard:

i) the existing physical hazards;

ii) the potential impacts of these hazards;

iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;

iv) the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and

v) protection of Natural Heritage System features.

Section 6 Land Division Policies

This section shall form the basis for decisions on all applications for land division within the Town.

6.1 General Policies

The following policies shall apply to all designations within the Town:

i) the division of land will generally occur by way of a registered plan of subdivision. Consent applications may, however, be considered when a plan of subdivision is deemed not to be required for the orderly development of any one parcel of land;

ii) the division of land will only be allowed if the proposed lots conform to the policies of this Official Plan and comply with the provisions of the Zoning By-law for the Town which shall establish minimum lot frontages and areas in accordance with Provincial and Municipal requirements established at the time of approval of this Plan. Where any by-law amendment or minor variance is necessary, it shall be a condition of the consent or plan of subdivision approval;

iii) the division of land shall not be allowed where development could occur on lands subject to flooding, erosion or unstable conditions or any other physical limitation as determined by the Town in consultation with the Essex Region Conservation Authority; and

iv) the division of land which is adjacent to a Provincial Highway shall be designed in accordance with the policies, standards and requirements of the MTO and such lots shall be oriented to front onto a local internal street.

6.2 Plans of Subdivision

In considering applications for proposed plans of subdivision, Council shall have regard to the policies of this Plan, the policies of the County of Essex Official Plan and to the Provincial Policy Statement, as well as those matters outlined in Section 51(24) of the Planning Act, R.S.O. 1990, as amended, and to the following policies:

i) the proposed subdivision can be adequately supplied with municipal infrastructure and services in an economic manner;

ii) the proposed subdivision has been designed to integrate with transit, and the broader transportation system, adjacent existing and planned land uses, and both the natural heritage system and cultural heritage resources;

iii) the plan of subdivision has been designed so there are no negative impacts on the natural heritage features or areas or hazard land areas;

iv) the proposed development addresses issues of energy conservation and sustainability;

v) the proposed subdivision is necessary, timely and in the public interest; and

vi) the design of the proposed plan of subdivision meets accepted design principles and standards of the Town, and has had adequate regard for any urban design guidelines, land acquisition programs, or other policy initiatives that are relevant to the area.

6.2.1 Required Studies

Applicants of a proposed subdivision development may be required to have specialized studies prepared to the satisfaction of the Town that assess impacts (and outline means of alleviating impacts where necessary) to ensure that the proposed development supports the health, safety, convenience and welfare of future inhabitants and the satisfactory functioning of the Town's built and natural systems. Such studies include (but are not limited to) noise, traffic, environmental impact, servicing and stormwater management, soil and/or hydrogeology. Additional information or studies as may be required to fully assess the proposed plan of subdivision are detailed in Section 10.19 of this Plan. Policies in the County of Essex Official Plan should also be referenced to support a subdivision development.

6.2.2 Draft Approval Conditions

Draft approval of plans of subdivision will generally include conditions which must be satisfied prior to final approval of the plan of subdivision by the County of Essex. Such conditions may be required to be satisfied within a specified time period (a maximum of three years) or draft approval may be withdrawn and any servicing capacity may be re-allocated. Draft approval can be extended prior to lapsing, based on municipal re-assessment and Council support. Conditions of approval may be changed prior to final approval in accordance with the policies of the *Planning Act*.

6.2.3 Development Agreement

Prior to final approval of a plan of subdivision, the Owner will be required to enter into a development agreement with the Town and to file necessary financial securities to the satisfaction of the Town to ensure that conditions of approval are fulfilled.

6.2.4 Deeming By-law

Eight years after final approval of a plan of subdivision, Council may deem by by-law the whole, or a portion of, a plan of subdivision to no longer be a registered plan of subdivision, pursuant to the provisions of the Planning Act.

6.3 Plans of Condominium

The County of Essex is the approval authority for condominium applications. Before embarking on a condominium process, the applicant must determine which type(s) of condominium they wish to establish. The Provincial "Condominium Act" identifies a variety of condominium corporations (alone or in combination) which are categorized as either "leasehold" or "freehold" condominiums. The four types of freehold condominiums are: common elements, phased, vacant land and standard.

Plans of Condominium approval will proceed in accordance with the provisions of the Planning Act, The Condominium Act. Plans of condominium must conform to the policies of this Plan, to the policies of the County Official Plan and to the Provincial Policy Statement, as amended, and to the following policies:

i) the Plan of Condominium, the proposed units, and common elements are appropriate for the intended purpose, and meet all requirements of the Zoning By-law, Building Code and Property Standards By-law;

ii) the Plan of Condominium meets the requirements of the site plan control by-law; and

iii) the Plan of Condominium meets the requirements of the parkland conveyance by-law.

6.3.1 Required Studies

Applicants of the proposed condominium may be required to have specialized studies prepared to the satisfaction of the Town that assess impacts (and outline means of ensuring that there are no *adverse effects* where necessary), and to ensure that the proposed *development* supports the health, safety, convenience and welfare of future inhabitants. Such studies, as are detailed in Section 10.20 of this Plan, may include, but are not limited to, structural engineering, traffic, parking or pedestrian movements, environmental impact, servicing, stormwater management, and soil and hydrogeology reports.

6.3.2 Draft Approval Conditions

Draft approval of Plans of Condominium will generally include conditions that must be satisfied prior to final approval. Such conditions may be required to be satisfied within a specified time period, or draft approval may be

withdrawn.

6.3.3 Development Agreement and/or Site Plan Control Agreement

Prior to final approval of a Plans of Condominium, the Owner will be required to enter into a condominium agreement and/or a site plan control agreement with the Town in accordance with the *Planning Act* and *Condominium Act*, and to file necessary financial securities to the satisfaction of the Town to ensure that conditions of approval are fulfilled.

6.3.4 Condominium Conversions

The County of Essex is the approval authority for requests for Condominium Conversions. Pre-consultation with the Town and County is required prior to submission of an application for a condominium conversion. When approving a Plan of Condominium as a conversion of an existing building, the County policies along with the following policies will apply:

i) these Condominium Conversion policies apply to existing rental buildings or to newly constructed buildings where condominium approval is not going to be exercised until after occupancy by tenants;

ii) if additional units are being created as part of the Condominium Conversion, then parkland contributions must be made in accordance with the parkland conveyance by-law;

iii) the applicant must submit a report from a qualified person detailing the existing condition of the building and any necessary improvements. The report must include cost estimates on the necessary improvements, as well as information on the maintenance and operating costs of the project in the past five years, or from the date of construction of the project if less than five years;

iv) the applicant must submit a report by a qualified person stating to what extent the existing services and utilities on the property meet Town specifications and requirements. The report must also include detailed plans of underground services, and a site grading and drainage plan with details for paved areas and parking spaces;

v) the applicant must notify all of the tenants about the intention to convert the building(s) to condominium ownership, in accordance with the regulations of the Residential Tenancies Act, 2006 or the Commercial Tenancies Act;

vi) tenants have the option to continue to lease their units following the approval of the conversion to condominium in accordance with the provisions of the Residential Tenancies Act;

vii) tenants are given the right of first refusal to purchase a condominium, units in the building proposed a for conversion;

viii) a public meeting has been held on the proposed conversion, to which the owner and all tenants of the subject building were invited;

ix) the conversion will result in the creation of affordable housing for affordable home ownership; and

x) where the conversion involves changing residential rental units to condominium ownership, the supply of rental accommodation, both Town-wide and within the subject neighbourhood, must not be adversely affected by the proposed Condominium Conversion. The public rental vacancy rate, when available for comparable units including size, type and rental rates must be assessed. The rental vacancy rate(s), as determined by the Canadian Mortgage and Housing Corporation (CMHC), will be reviewed, and where the rate is less than three percent (3%), the application for the Condominium Conversion may be denied.

The Town and County will monitor the cumulative impact of Condominium Conversions on the supply of rental housing. The assessment of the potential impacts of Condominium Conversions will include the following:

a. The overall availability of, and vacancy rates for, rental units of various sizes, types and rental rates; and

b. The number of potential new units becoming or having become available within twelve months of the proposed conversion, including new rental units in the vicinity of the conversion.

6.4 Consent Policies

In considering applications for consent, Council and the Committee of Adjustment shall have regard to the following policies:

i) consents will be granted only when all parcels involved abut an existing publicly owned and maintained road of a standard of construction acceptable to the Town, or the County of Essex or the Ministry of Transportation, where applicable;

ii) consents will not be granted when any parcel involved requires access to be obtained where a traffic hazard could be created because of limited sight lines on curves or grades or proximity to intersections;

iii) consents will be granted only when it has been established that soil and drainage conditions for all parcels involved are suitable:

a. to permit the proper siting of any permitted building or structure;

b. to obtain a sufficient and potable water supply, where no municipal piped water supply exists; and

c. to permit the installation of an adequate means of private sewage disposal acceptable to the Ministry of the Environment, Conservation and Parks or its designated agent, where no municipal piped sanitary sewer collection system is available.

iv) consents shall be granted only if they comply with the provisions of the Town's Zoning By-law. Where a by-law amendment or minor variance is necessary, it shall be a condition of the decision;

v) consents shall not be granted where development would occur on lands subject to flooding, erosion or unstable conditions or any other physical limitations as determined by the Town in consultation with the Essex Region Conservation Authority;

vi) notwithstanding any other section of this Plan, consents for lot adjustments or minor boundary changes are permitted in all designations provided they are granted conditional to Section 50(3) or (5) of the Planning Act, R.S.O. 1990;

vii) consents may also be permitted to create an easement or right-of-way provided all other applicable policies of this Plan are maintained;

viii) the consent-granting authority may exercise its powers under Section 53(12) of the Planning Act, R.S.O. 1990 when reviewing the shape, size, etc. of any proposed lot;

ix) the consent-granting authority will give consideration to the following items, in addition to other items deemed necessary by the consent-granting authority, which may be stipulated as conditions of the consent where applicable:

a. that all realty and business taxes be paid in full;

b. that a land development charge is paid to the Town in accordance with the Council-approved Ontario Land Development Charges By-law;

c. that a parkland dedication, or alternatively, a cash-in-lieu of parkland dedication contribution is made to the Town;

d. that any road widening required be dedicated to the Town, county or provincial agency having jurisdiction over the road affected;

e. that the Town's Zoning By-law be amended to permit the proposed use, if necessary, prior to the issuance of a certificate or the stamping of deeds;

f. that the applicant enter into an agreement with the Town to construct, upgrade or maintain a required service affecting the lot to be severed or retained;

g. that access to the property be constructed to the satisfaction and requirements of the Town and other relevant agencies; and

h. that the severed and retained lot be serviced with separate sanitary, storm and water services.

6.4.1 Agricultural Severances

On those lands designated Agricultural, consents may only be permitted if they are in accordance with the following additional land division policies:

i) Division of Farm Lots

A consent may be granted to permit a farm lot to be divided into two farm lots provided:

a. each lot (both the severed and retained parcel) has a minimum lot area of 40 hectares; and

b. the land to be conveyed is transferred to someone other than the applicant, the applicant's spouse or a corporation or a partnership of which the applicant is a principle owner.

ii) Surplus Dwelling

A consent may be granted to sever a dwelling unit that is considered surplus to the needs of the farming operation as a result of the acquisition of additional farm property provided:

a. the retained farm property has a minimum lot area of 20 hectares;

b. the size of the surplus dwelling lot is in compliance with the Town's Zoning By-law and is not greater than 0.5 hectares in area, except where natural or man-made features or servicing requirements dictate otherwise;

c. as a condition of the consent, the retained farm parcel will be rezoned to prohibit a residential dwelling from being constructed upon it;

d. the land to be conveyed is transferred to someone other than the applicant, the applicant's spouse, a partnership, or a corporation of which the applicant is a principle owner;

e. the requirements of the Minimum Distance Separation (MDS) I shall be applied to the severing of a surplus house;

f. barns and other agricultural outbuildings that are in close proximity to surplus dwellings are encouraged, where feasible and warranted in terms of future farm operations and options, to be demolished, removed or remain with the farmland; and

g. the surplus dwelling is in a habitable condition as determined by the Town or certified by a qualified building inspector.

iii) a consent may be granted to create a lot for agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

iv) with the exception of the residential lots that could result from subsection 4.4.1 ii), no consent shall be granted that has the effect of creating a non-farm related residential lot in the Agricultural designated areas of the Town;

v) lot creation to permit new infrastructure uses is permitted where the facility or corridor cannot be accommodated through the use of easements or rights-of-way; and

vi) lot adjustments for legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot are also permitted.

Section 7 Urban Design Principles

7.1 General

Urban Design encompasses the arrangement of elements within the built and natural environment that contribute to a "sense of place" and appreciation of that place. It includes the relationship of buildings, landscape elements, and the spaces between them, as well as streetscape features such as sidewalks and boulevard treatment, signage, and building setbacks. It also comprises the architectural design of structures within the built environment. Urban design is recognized as having both functional and aesthetic aspects and good design is important throughout all areas of the Town.

7.2 Goals

To provide a framework for the provision and maintenance of an attractive, safe, efficient, accessible, and harmonious environment, which recognizes, values and supports the specific aspects of the built and natural environment that contribute to an area's sense of place and significance to the community.

7.3 Policies

i) The Town recognizes the value associated with quality architecture, pedestrian-friendly streetscapes, and vibrant neighbourhoods. For these reasons, the Town may undertake urban design guidelines for specific types of development, for specific areas of the Town or for the entire Town. Any urban design guidelines that are developed will be used to:

   a. clarify the strategic direction and design objectives of the Official Plan;

   b. complement and enhance any design considerations in development applications;

   c. assist in the preparation of any future secondary plan, community improvement plan, or other relevant planning documents; and

   d. assist the Town in evaluating development proposals.

ii) The following guiding principles should be used to ensure the development of successful communities:

   a. foster attractive communities and a sense of place;

b. create compact, accessible, mixed-use communities;

c. provide a variety of housing types;

d. provide access and visibility to open spaces;

e. encourage environmentally sustainable development;

f. foster developments that are context appropriate;

g. create a street network for active transportation and transit;

h. integrate and highlight cultural heritage resources; and

i. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.

iii) Town will promote the provision of barrier-free access and safety by:

a. providing for age-friendly needs and the requirements of people with disabilities, and others requiring access supports through improved amenities such as parking, benches, washrooms, clear signage, visual or auditory indicators, and other means as appropriate;

b. ensuring accessibility for persons with disabilities and the aged by addressing land use barriers which restrict their full and equitable participation in the community;

c. improving public security through enhanced lighting, natural surveillance, well-defined entrance locations in well-travelled areas, and ease of access for emergency personnel or vehicles;

d. clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;

e. arranging public uses and amenities within a convenient walking distance;

f. providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and

g. promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.

iv) Through the review of development proposals, construction of public works, or the preparation and approval of area plans, the Town shall maintain or enhance the character of valued streetscapes, community areas, and landscapes by:

a. preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through the implementing Zoning By-law, requiring building step-backs, having entrances at street level, providing street furniture, and other means as appropriate;

b. providing shade through natural or built means to provide comfortable outdoor environments;

c. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;

d. the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;

e. designing public spaces or requiring the design of common spaces in private projects to have a clear sense of definition, and provide sufficient amenity, accessibility and security to encourage public use and linkage to other public areas;

f. preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having architectural, or cultural heritage value or interest; and

g. encouraging the burial of utility features, where feasible, or promoting innovative methods to minimize their visual impact by containing utility features within streetscape elements or by screening them from view.

v) The Town encourages the design of new development to be visually compatible with surrounding neighbourhoods through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:

a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing,

setbacks, access, landscaped treatment, building materials, exterior design elements or features;

b. protecting natural heritage features through the siting, design and review of new development;

c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility; and

d. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.

Signage should be harmonious with the type and location of development, placed to serve its function, sized appropriately, and not overwhelm the streetscape, cause inappropriate light pollution that is not necessary in the circumstances, or dominate the skyline. It is the policy of this Plan to use signage in a manner that protects views to historic sites, significant landmarks or vistas of Lake St. Clair or other natural heritage features or cultural heritage landscapes.

vi) Several roads provide principal entrances to the Town for vehicular traffic including: Tecumseh Road, Old Tecumseh Road, Brighton Road, Riverside Drive, Lesperance Road, Manning Road, County Road 42, County Road 46, County Road 34, Highway 3, County Road 9, County Road 11 and Malden Road. Each provides an important entry or “gateway” to the Town. Treatment of these roadways is therefore a high priority. Development is intended to be characterized by a high standard of site design that satisfies the following objectives:

a. buildings are oriented to enhance the relationship of the buildings to the road;

b. vehicular parking, except for visitor parking and parking for people with a disability, are provided on the sides and rear of the buildings;

c. joint access or shared driveways are required, in conjunction with parking to the side and rear of buildings, in order to make the area available at the front of buildings for landscaping;

d. service areas, including loading, garbage and storage areas, are not exposed to the roads. Where this is not practical, such areas should be screened from public view by appropriate landscaping and/or fencing;

e. screening for outdoor storage areas is integrated with the building; and

f. landscaping on the site is planned to ensure a continuous landscaped area between the buildings and the road.

Along individual corridors, the Town will develop an appropriate streetscape for the corridor through the implementation of public works, site plan control review, and through the effort of individual owners by providing such features as tree plantings, gardens, boulevards, public and private signage, and where feasible, underground utilities.

vii) The Town will implement urban design policies through one or more of the following mechanisms:

a. zoning, subdivision and site plan control review, urban design guidelines, a sign by-law, guidelines for persons with disabilities, or any other relevant guideline adopted by Council;

b. the preparation and implementation of community improvement plans and programs, as budget permits;

c. the design, construction, and installation of public works or facilities;

d. undertaking the preparation of secondary plans or other planning exercises; and

e. consultation with the private sector with respect to development applications.

Section 8 Municipal Services

8.1 General

It is the intent of this Plan to recognize the key role that infrastructure plays in shaping the future growth and development of the Town. Provision of infrastructure must be provided in a responsible, efficient and cost-effective manner to ensure long-term fiscal and environmental sustainability. The objectives of this Plan related to infrastructure include:

i) provide infrastructure in a coordinated, efficient and cost-effective manner that is integrated with planning for growth so that these necessary services are available to meet current and projected needs;

ii) optimize the use of existing infrastructure, wherever feasible, before constructing new infrastructure;

iii) strategically locate infrastructure to support the effective and efficient delivery of emergency services;

iv) work co-operatively with other agencies, jurisdictions and private developers in addressing common servicing needs and challenges;

v) undertake the financial planning required to make the necessary investments in infrastructure systems to accommodate the long-term community and economic growth anticipated by this Plan; and

vi) require that all development within the Town of Tecumseh be serviced in accordance with the Development Standards Manual adopted by Council and as amended from time to time.

8.2 Municipal Water and Sanitary Sewer Services

Municipal Water Services

Municipal piped water is currently supplied to the Town, by way of agreement, from the Windsor Utilities Commission (WUC). The Town is responsible for its own distribution system within the boundaries of Tecumseh and any new storage works that may be required to supply its fire flow of water. WUC will deliver peak hourly flow and storage for equalization and peak flow of water for the Town. Water pressures will be maintained at adequate service levels and no watermain extension will be permitted if the resulting water pressure would fall below acceptable waterworks standards.

North Service Area

The north service area comprises the Tecumseh North Settlement Area and

accounts for approximately 90 percent of the Town's current population. The existing distribution system in the north service area is supplied water through metering facilities and connections to the WUC water system at the Town boundary at Dillon Drive, McNorton Street, Tecumseh Road, County Road 22, County Road 42 and Baseline Road. The watermains in the north service area range in size from 100 mm to 600 mm in diameter and consist of various pipe material including cast iron, ductile iron, PVC, PE and Concrete. The Town owns and operates an elevated water storage facility with a storage capacity of 4.5 ML (1.0 MIG). This storage capacity is used for fire flows for the Town and is currently utilized by the WUC for pump control at the AJ Brian and George Avenue pumping stations. The Town of Lakeshore is also supplied water from the WUC through the Tecumseh system via the north service area through four bulk water meters located east of County Road 19 (Manning Road).

South Service Area

The south service area includes the Oldcastle Hamlet Settlement Area, the Maidstone Hamlet Settlement Area and the rural area south of County Road 42. The existing distribution systems in these areas are supplied water through metering facilities and connection to the Windsor water system along the Town boundary at 8th Concession Road, County Road 46 (Provincial Road), County Road 11 (Walker Road), North Talbot Road and County Road 9 (Howard Avenue). The watermains range in size from 100 mm to 600 mm in diameter and consist of various pipe material including cast iron, ductile iron, PVC, PE and Concrete.

Municipal Sanitary Sewer Services

The wastewater from the settlement areas of the Town of Tecumseh are serviced through a combination of capacities at the 64 MLD Little River Pollution Control Plan and/or the 159 MLD Lou Romano Water Reclamation Plant, both in Windsor, by way of agreement. The Town has a current treatment capacity allocation of 17 MLD at the Little River PCP and 2 MLD capacity at the Lou Romano WRP. The Town can purchase additional capacity at the Little River PCP for future growth up to a maximum 38.0 MLD. The maximum discharge rate limitations at the Town boundary locations are:

- 935 L/s at the Cedarwood Outlet to Little River PCP;
- 1,308 L/s at the Banwell Road Outlet to Little River PCP comprising;
- 983 L/s at County Road 22;
- 325 L/s at 8th Concession Road (Oldcastle); and
- 85 L/s at the North Talbot Road Outlet to Lou Romano WRP.

8.2.1 Goals

The provision of safe, reliable and cost effective municipal water and sanitary sewer services is necessary to enable the Town to carry out critical, important and/or desirable functions related to the continued operation, maintenance, safety, security and well-being of the Town and its residents. The objectives of this Plan related to municipal water and sanitary sewer services, include:

i) direct and accommodate expected growth in a manner that makes efficient use of existing infrastructure;

ii) ensure that all water and sewage systems are provided in a manner that can be sustained by the water resources upon which such services rely, are financially sustainable, comply with all regulatory requirements and promote water conservation and water use efficiency; and

iii) support the improvement and extension of municipal sanitary sewage and water supply services, in accordance with the provisions of this Plan and the Town's Water and Wastewater Master Plan, as amended from time to time, and other relevant Town, County and Provincial policies and regulations, and within the financial capabilities of the Town and on the basis of the approved capital budget program.

8.2.2 Policies

i) in general, new development will be directed to Settlement Areas, as identified on Schedule "B". Higher order forms of servicing, including full municipal water and sanitary sewer services are the preferred form of service infrastructure, and will be required for all development in the Town's Settlement Areas. The only exceptions are for:

a. lands which were previously designated and zoned for development and the approved form of servicing at the time was municipal piped water and individual on-site sewage services; and/or

b. in instances of infill/rounding-out, where the lot has municipal piped water and individual on-site sewage services, frontage onto Malden Road and within the Maidstone Hamlet Settlement Area.

This level of servicing may continue on these lands until full municipal services are extended to these areas by the Town;

ii) the extension of municipal sewer and water services should take place only within lands in the Settlement Areas as identified on Schedule "B". Such extensions shall be consistent with the Town's Water and Wastewater Master Plan (as amended), Municipal Class

Environmental Assessments (Class EAs) and relevant secondary plan policies;

iii) the Town will encourage and promote water conservation practices in order to free up capacity within the municipal water and sanitary sewage treatment plant and distribution systems and to make them work more efficiently. The Town shall promote water conservation by:

a. encouraging development proposals that minimize additional demands for water from the Town's water system; and

b. directing and accommodating expected growth in a manner that promotes the efficient use of existing Town sewage services and Town water services.

iv) the Town will not award capacity allocation for growth beyond the uncommitted reserve capacity in the respective water and sewage treatment facility as established by the agreements. As such, the Town will maintain, in conjunction with the Ministry of the Environment, Conservation and Parks and neighbouring municipalities where there are shared services, up-to-date records of:

a. the reserve capacity of water and sanitary sewage treatment facilities;

b. the amount of unconnected servicing commitments to zoned land/ development; and

c. the uncommitted reserve capacities.

v) new development is permitted within the Settlement Areas only if there is confirmation, to the satisfaction of the Town, of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services. Further:

a. the Town shall only approve new development within the Settlement Areas that can be allocated Town sewage and water capacity or servicing allocation, in conformity with Town policies, procedures and by-laws;

b. the assignment of servicing allocation to any specific development proposal is at the sole discretion of the Town and furthermore, depending on the amount of servicing allocation and infrastructure available, not all development proposals may be able to proceed and/or be approved;

c. the Town may assign preliminary Town water and sewer servicing allocation for Draft Plans of Subdivision within the Settlement Areas at the time of Draft Plan Approval by the Town;

d. if a Draft Plan of Subdivision or Condominium is not registered within three years from the date of Draft Plan Approval, or the Draft Plan has not proceeded to the satisfaction of the Town within the term of Draft Plan Approval, the Town, at the time of considering extension of the Draft Plan Approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part;

e. prior to revoking allocation, the Town shall afford the developer an opportunity to address the Town on the matter. Servicing allocation shall be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.

vi) development within the Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with sewage and water systems. A Functional Servicing Plan shall be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with development applications. These Plans shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town;

vii) the cost of providing full municipal services to facilitate the development of lands within the Settlement Areas shall be paid for by the benefitting landowners/developers and shall not impose a financial burden on existing ratepayers. Accordingly, such costs shall be recovered through development charges, as identified in the Development Charges By-Law or by such other means available by way of legislation. In some circumstances, the Town may arrange cost-sharing agreements or front ending opportunities with future benefitting land parties;

viii) within lands designated Agricultural, the Town may choose to permit individual on-site sewage services only where municipal sewage services are not provided and where site conditions are suitable for the long-term provision of such services with no negative impacts;

ix) for any private sewage treatment system, all requirements of the Town shall be met, including the receipt of an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks, where required by regulation, necessary for the installation of a Class IV system (septic tanks with tile bed) or equivalent for all existing or newly created lots to be serviced with individual private sewage treatment systems.

8.3 Storm Drainage

Stormwater runoff within the Town currently drains via an extensive network of inland watercourses, municipal drains roadside ditches, storm sewers and mechanical pumping systems. In the Settlement Areas, impervious surfaces such as building rooftops, driveways, patios and parking lots reduce the ability of the land to absorb storm flows. Appropriate stormwater management is necessary to control erosion, flooding and to protect watercourse and water bodies from impaired water quality.

The following is the policy of the Town:

i) prior to development approval of subdivisions or applications involving significant lot creation and/or development, the Town will require the preparation and approval of a stormwater management plan, which is acceptable to the Town, the Essex Region Conservation Authority and the Ministry of the Environment, Conservation and Parks, and is completed in accordance with current Provincial guidelines, the Windsor/Essex Region Stormwater Management Standards Manual and any relevant watershed or subwatershed plans. A stormwater management plan will be required to ensure that runoff is controlled such that development does not increase peak flows from a quantity perspective and that appropriate water quality control measures are implemented, typically on site, to address potential adverse impacts downstream. This is to prevent the accelerated degradation of watercourses as a result of development. Pre-submission consultation with the Town and the Essex Region Conservation Authority on measures of stormwater management works pursuant to Ministry of the Environment, Conservation and Parks Guidelines and the Windsor/Essex Region Stormwater Management Standards Manual is encouraged;

ii) regionalized stormwater management facilities are the preferred form of serving by the Town. Where the preferred stormwater management solution for development within a defined area has been determined and approved through a Municipal Class Environmental Assessment process, all development within that area shall only proceed in accordance with the approved Municipal Class Environmental Assessment document. These preferred stormwater management facilities will be implemented in an orderly and cost effective manner as new development proceeds. The potential need for interim stormwater management plans for development within these areas will be determined by the Town with the ultimate stormwater solution being in accordance with the approved Municipal Class Environmental Assessment document;

iii) stormwater management facilities, including stormwater management ponds and inland drains/corridors, may be permitted in all designations, except Natural Environment, subject to the satisfaction

of the Town and Essex Region Conservation Authority and confirmation that there are no impacts on adjacent natural heritage features and their associated functions;

iv) development within the Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with stormwater management. A Functional Servicing Plan shall be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with development applications. These Plans shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town;

v) stormwater management facilities will be designed to manage stormwater quality and quantity, as defined by the most current Ministry of the Environment, Conservation and Parks Stormwater Planning and Design Manual and the Windsor/Essex Region Stormwater Management Standards Manual. These decisions shall be undertaken in consultation with the Town and the Essex Region Conservation Authority, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities will be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged;

vi) modifications to existing natural watercourses will only be undertaken where natural features can be integrated with the optimal design ensuring quality and quantity impacts are mitigated. In reviewing individual development applications, the Town will require developers to utilize appropriate stormwater management techniques and best management practices to minimize erosion and siltation of watercourses and open drains and to not adversely affect upstream or downstream property owners;

vii) the Town will encourage the preparation of stormwater management plans on a watershed or subwatershed basis;

viii) no new development will have a negative impact on the drainage characteristics of adjacent land or downstream receiving storm infrastructure or watercourses;

ix) prior to development approval, the development proponent will consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses;

x) prior to development approval, the proponent will provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used

to form part of a natural trail or open space system. Roads and sidewalks within the study area will be required to provide access to these natural areas. Where applicable, the use of dry ponds which can be located adjacent to parkland for the purpose of maximizing the space available for public use is encouraged. Wet ponds are encouraged to be incorporated into subdivision design as aesthetic features of the community;

xi) the Town encourages, where deemed appropriate and applicable, the use of innovative low impact development design and technologies in new development and redevelopment including the use of bio-swales, innovative stormwater practices, at-source infiltration and greywater re-use systems;

xii) in order to ensure that the size, configuration and grade of the land surrounding the facility can be efficiently utilized as a component of a trail or open space system, it may be necessary to prepare a landscape design prior to development approval;

xiii) it is the position of the Town that the areas required for stormwater management will not be considered toward the parkland dedication. However, the development of these areas into parkland facilities, such as the provision of asphalt paths, may be considered as an alternative to a portion of cash-in-lieu of parkland contribution. The provision of additional land to facilitate the use of these areas as parkland may also be considered. In addition, to the foregoing, the Town may also, at its sole discretion and approval, permit the use of parkland that abuts required stormwater management areas to form part of the engineered stormwater management design, such as providing limited stormwater storage under sever flooding conditions for a temporary period, with the result being that under normal conditions the park is available for public use;

xiv) the Town will ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements;

xv) the Ministry of Transportation will be consulted in relation to stormwater management plans and facilities in proximity to Provincial Highways;

xvi) the Town will own, operate and maintain all stormwater management facilities that serve more than one property; and

xvii) the Town will incorporate stormwater management requirements as a component of the development approvals process.

Section 9 Transportation

9.1 General

The Town's transportation system, depicted on Schedules "E-1", "E-2", "E-3", "B-3", "H-3", "H-4", "H-5", "H-6", "H-7", "H-8", "H-9", "H-10", "H-13", "H-14", and "H-15", moves people and goods via sidewalks, bicycle routes, multi-use trails, the transit system and roads. It is the intent of this Plan to develop a multi-modal transportation system that is safe, efficient, economical, convenient and comfortable for all users. The policies of this Section reflect the recommendations of the Town's Transportation Master Plan.

9.1.1 Transportation Objectives

The objectives of this Plan related to transportation, include:

i) develop and maintain multi-modal transportation routes throughout the Town, with linkages to external transportation systems, to facilitate community development and to ensure access to goods, services, and amenities for the residents, visitors and businesses of the Town;

ii) ensure the transportation system is interconnected, efficient, safe, and supportive of all modes of travel, with dedicated facilities for vehicles, pedestrians and cyclists;

iii) enhance active transportation facilities with streetscape elements such as trees, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and shade; and

iv) integrate the multi-modal transportation system with existing and planned land use patterns.

9.1.2 General Policies

i) new facilities or major improvements to the existing transportation system will only occur where such improvements are consistent with the planned character of the community. Major capacity improvements to the existing road system will only occur when the need exists and all reasonable transportation demand management options, including smart transportation technologies, have been previously considered and/or implemented;

ii) enhanced mobility options for all residents and visitors will be achieved by adopting a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town; and

iii) the Town will work in partnership with private developers, adjacent municipalities, the County and the Province to provide a transportation system that integrates a range of travel modes to move people and goods in a safe, seamless and barrier-free manner.

9.2 Complete Streets

The concept of “complete streets” encapsulates the notion that streets should be designed to safely accommodate the access, mobility and safety needs of motorists, transit users, bicyclists and pedestrians of all ages and abilities in the context of an efficient multi-modal transportation network. The Town is committed to the development of complete streets to:

i) ensure safe and accessible streets enabling mobility for people of all ages and abilities;

ii) give people a range of transportation choices, including active and public transportation, making transportation convenient, accessible, affordable and safe;

iii) create healthy and livable neighbourhoods by encouraging a built form designed to promote social interaction and permit eyes on the street;

iv) create vibrant and attractive public spaces;

v) support economic prosperity;

vi) improve environmental sustainability;

vii) balance the needs and priorities of the various users and uses within the right-of-way, including provision for:

a. the safe, low carbon and efficient movement of pedestrians of all ages and abilities, cyclists, transit vehicles and users, goods and service vehicles, emergency vehicles, and motorists across the network; and

b. space for other street elements, such as utilities and services, trees and landscaping, green infrastructure, snow and stormwater management, wayfinding, boulevard cafés, marketing and vending, and street furniture.

viii) improving the quality, safety and convenience of active transportation options within all communities by giving full consideration to the needs of pedestrians, cyclists, and public transit users;

ix) reflecting differences in local context and character;

x) protecting view lines and view corridors; and

xi) serving community destinations and public gathering places by providing choice and flexibility in transportation options.

9.3 Road Classification System

A Road Classification System is the orderly grouping of roads into systems according to the type of service they provide to the public. When a road system is properly classified, the characteristics of each road are readily understood. Classification assists in establishing the geometric design features for each group of roads, consistent with the short and long-term operational needs of that particular group.

The following policies apply to road planning, operations, and design:

i) the Town's road network will be based on a hierarchical system which distinguishes between the relative importance of providing for traffic movement and/or property access for each roadway. This roadway classification includes:

- Provincial Highway;
- County Road;
- Commercial Main Street;
- Minor Arterial;
- Collector (Urban);
- Collector/Freeway Ramp;
- Local (Urban);
- Collector (Rural); and
- Local (Rural).

ii) the MTO and the County of Essex own roads throughout the Town that play an important role in regional mobility and carry significant traffic volumes. These roads function as arterial roads in the Town's road network hierarchy. The Town will work with the MTO and the County of Essex to ensure that appropriate infrastructure to meet the safety and mobility needs of all users is provided. In urban settlement areas, these roads, other than those designated as controlled access highways, are expected to be complete streets. The following roads in or adjacent to the Town are under the jurisdiction of others:

a. the MTO owns Highway 401 and Highway 3. Both of these facilities are high speed roads in rural areas that only serve

auto traffic. Focus in the development of the multi-modal street network will be on crossing these corridors safely and efficiently;

b. the County of Essex owns a series of roads within the Town boundaries. Many of these roads have urban settlement area segments that impact transportation choices in the Town. The Town will continue to work with the County to ensure a complete streets approach to urban county roads is accomplished, regardless of ownership;

c. the City of Windsor owns a segment of Banwell Road between County Road 22 and the CPR railway as it is within the City municipal limits. This segment of road is immediately adjacent to the Tecumseh North Settlement Area. The Town will continue to work with the City to encourage a more complete streets approach to the design and operation of this road to meet the needs of Tecumseh users;

iii) Commercial Main Street is a key east-west spine in the network for all modes of travel and the focus of activity for a planned vibrant commercial node (Tecumseh Road Main Street Community Improvement Plan Area) which extends from the westerly limit of the Town to the VIA Rail tracks east of Lesperance Road. The CIP recommended reducing the existing four lane cross-section to two driving lanes and shared cycling space with the balance of the road space used for parking and pedestrian amenities. The right-of-way width for Commercial Main Street shall typically be 26.0 metres;

iv) Minor Arterial Roads provide for high volumes of both passenger and commercial traffic for inter-urban travel at moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Minor Arterial Roads shall typically be 26.0 metres;

v) Collector Roads are intended to provide for the movement of moderate volumes of traffic between local roads and the arterial roads at low to moderate speeds, while at the same time providing access to individual properties. The right-of-way width for all Collector Roads shall typically be 23.0 metres;

vi) Collector/Freeway Ramp applies to the Sylvestre Fly-off and the portion of Westlake Drive that connects the Fly-off to Lesperance Road. Absent the ramp connection, Sylvestre Drive (County Road 22 to Westlake Drive) and Westlake Drive (Sylvestre Drive to Lesperance Road) would be designated as Collector Roads; with the ramp connection, both roads will function as Minor Arterial Roads and Westlake Drive will consist of a three-lane cross section;

vii) all other roads in the Town are expected to function as Local Roads during the planning period, providing direct access to various abutting land uses. By their very nature they are designed and intended to accommodate a much lower volume of traffic at low speeds. The right-of-way width for all Local Roads shall typically be a maximum of 20.1 metres.

viii) to maintain a safe and efficient road system in the Town, it shall be the policy of Council to pursue a program of improving road alignments, surfaces and pavement widths, and to establish adequate road allowances and standards for new development. The Roads Need Study of the Town and the capital works budget will be used to establish priorities for the upgrading of the existing municipal road system that is under the control and jurisdiction of the Town;

ix) all road improvements and new road projects shall be undertaken in accordance with the provisions of the Municipal Class EA process;

x) in designing, building and maintaining roads within the Town, the following policies shall be applied to new and existing roads:

a. alignment, boulevard, and centre median development should be an aesthetic consideration during the design of all roadways;

b. landscaping and planting should be used to establish a uniform and coordinated street image along arterial and collector roads;

c. the roadway classification and function should be used as a guide to determine the number, frequency and location of permitted driveway and street intersections, in accordance with sound traffic engineering principles that maximize safety and protect the capacity and operational characteristics of the overall road network;

d. sidewalks, walkways, and bikeways shall be considered as integral parts of all new developments, to facilitate cycling and pedestrian modes of transportation within and between residential neighbourhoods, recreational and community facilities. Sidewalks shall be provided along both sides of all new streets built in the Town of Tecumseh;

e. the use of cul-de-sacs is discouraged within the Town and, wherever possible, a modified grid system should be used when designing and constructing new roads in order to promote and facilitate walking within neighbourhoods and the efficiency of the public transit system. Where cul-de-sacs are required to be used within new developments as a result of unique design constraints, they should be designed in such a manner as to not exceed 150 meters in length; and

f. alternative design standards may be favourably considered by Council in those instances where such innovation is required to protect important natural heritage features;

xi) Council will require that all developments incorporate sufficient off-street parking spaces to meet the anticipated needs of the proposed land use, in order to maintain safe and convenient transportation corridors Town-wide. Shared access and cross-access agreements are encouraged between abutting property owners, particularly in commercial areas where opportunities exist to interconnect abutting parking areas and thus improve connectivity and provide alternative circulation routes between properties. The Town's Comprehensive Zoning By-law will establish the minimum number of spaces required for each type of land use. Design standards for the location, layout, construction, lighting and landscaping of off-street parking areas will be applied through the site plan control review and approval process. The intent of such standards will be to achieve safe access, efficient usage, improved aesthetics and reduced impacts on adjacent land uses and transportation corridors. Key design elements that will be considered by the Town include:

a. appropriate building orientation, including building entrance locations;

b. clearly defined pedestrian access, connectivity and circulation routes; and

c. tree planting and other landscaping elements, including landscaped islands.

xii) the Town's Comprehensive Zoning By-law shall establish the minimum number of bicycle parking spaces required for each type of land use within the Settlement Areas. All development within the Settlement Areas shall include parking for bicycles, as follows:

a. provide bicycle parking at institutional, retail, commercial and employment areas, as well as at other destinations to promote purposeful cycling;

b. provide bike storage sheltered from weather for 15% of total building occupants for all multiple and apartment form residential developments;

c. for non-residential development, place accessible and secure bike racks at the front of buildings; and

d. provide bicycle racks in all public parks.

9.4 Active Transportation

The active transportation system, both existing and planned, is shown on Schedule “E-2”, “B-3”, “H-13”, and “H-14”. This Plan shall provide for a balanced transportation system that promotes active transportation facilities to encourage walking and cycling. To promote active, healthy living, the Town shall require that all development within the Settlement Areas contribute to the creation of a walkable and connected community with multiple destinations within walking distance of all residents. To support walking and cycling as attractive modes of transportation within the Town, the following policies will apply:

i) the Town will endeavour to provide a safe, convenient and clearly delineated bicycle movement network to meet the needs of both experienced and less experienced cyclists. The network will comprise both on-road and off-road routes planned in accordance with local and regional walkways, bikeways and multi-use trails plans;

ii) new development will be required to conform to and satisfy such plans and objectives using a complete streets approach to the design of new streets, as well as the reconstruction, repair and maintenance of any right-of-way in the Town;

iii) all development and reconstruction of existing infrastructure shall be planned, designed and developed to ensure the safety and efficient movement of cyclists and pedestrians, with a highly inter-connected street network;

iv) vehicle crossings of multiuse trails will be minimized, wherever possible, while the highest safety standards for those crossings that cannot be avoided will be implemented;

v) the Town shall include supportive infrastructure for active transportation such as enhanced street crossings, pedestrian rest areas, and bicycle parking in the design of new and reconstructed streets;

vi) off-road multi-use paths will connect to the street network and to community amenities and will ensure that corridors between key destinations are fully accessible and support active transportation;

vii) pedestrian circulation will generally be on sidewalks or multi-use trails adjacent to roads and shall be separated from the road by a landscaped, tree-lined boulevard. Exceptions may be considered where other design considerations (i.e. an urban commercial main street) warrant an exception or where insufficient right-of-way widths exist, or other terrain constraints exist;

viii) active transportation routes, such as sidewalks, bike lanes, trails, and multi-use paths will include streetscaping elements that promote pedestrian and cyclist comfort and safety and are designed to enhance accessibility for all residents and will comply with the Accessibility for Ontarians with Disabilities Act (AODA). Such streetscape elements include, but are not limited to, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and street trees;

ix) the planning, design and development of bicycle facilities shall be informed by the design standards outlined in the Ontario Traffic Manual (OTM) Book 18, as amended from time to time. Higher order bicycle circulation will generally be provided on bicycle lanes, cycle tracks, or multi-use paths;

x) to protect the safety of pedestrian and cyclists, the Town will endeavour to utilize traffic calming initiatives such as:

a. implementing street designs that discourage vehicle speeding through appropriate cross-section designs, complimentary streetscape designs, closer building proximity to the street and boulevard street tree planting;

b. reducing maximum traffic lane widths;

c. limiting the maximum number of traffic lanes in the roadway; and/or

d. the provision of on-street parking; and

xi) the Town is committed to the development and ongoing enhancement of the County Wide Active Transportation System (CWATS) Master Plan in partnership with the County of Essex and the lower tier CWATS partners. In accordance with the timetable of the CWATS Plan, as funding permits, the Town will continue to extend on- and off-road systems annually both to complete the Town's portion of the CWATS system and to provide the linkages to it and the local communities and facilities it serves. The Town will embrace other opportunities and initiatives that will enhance active transportation in the Town.

9.5 Transit

To continue to support and grow the Town's transit service, the following policies shall apply:

i) the Town recognizes the importance of built form on the success of its transit system. Accordingly, the Town shall:

a. establish a clear local community structure including settlement areas, non-settlement areas, urban growth boundaries, nodes, corridors and built-up areas;

b. utilize urban design policies to ensure the creation of a transit-supportive urban form, applicable to both new areas and the retrofit of existing areas to support higher levels of transit ridership;

c. encourage compact patterns of development at densities and mix of land uses that are capable of supporting public transit;

d. design and orient buildings and parking areas to support accessibility to transit services;

e. encourage the design of neighbourhoods that make it easy for people to walk and bike to and from transit stops and services; and

f. design street networks and blocks that provide for connections between living areas and transit;

ii) the transit system should be planned and coordinated to provide links to, between and through major destinations within Tecumseh and to interconnect with routes and major destinations/transit hubs located in adjacent municipalities;

iii) transit supportive design requires the following:

a. locate stops within a maximum five-minute walk of a destination. The typical five-minute walking distance for residents is 400 to 500 metres;

b. a system design which allows for safe pedestrian access to as many residential, employment and retail locations as possible;

c. ensure the coordination of the transit network with the multi-use trails and path system to further the accessibility of transit; and

d. provide a range of transit facility amenities including but not limited to: bicycle parking, weather protection, seating, waste receptacles, lighting and route information; and

iv) where feasible, the Town shall utilize parking and transportation demand management policies to promote a shift towards higher levels of transit use and more active modes of transportation.

Section 10 Implementation and Interpretation

10.1 General

This Plan shall be implemented by means of the statutory powers conferred upon the Council and other municipal officials by the Planning Act, the Heritage Act, the Municipal Act, the Development Charges Act and any other powers as may be exercised through the Zoning By-law, subdivision control regulations, development and site plan control agreements and standards of maintenance and occupancy by-laws.

10.2 Implementing Zoning By-Law

The Town will prepare a new comprehensive Zoning By-law to zone lands in accordance with the policies and designations contained in this Plan.

10.3 Holding Zones

The Town's Zoning By-law will incorporate the holding zone approach in accordance with Section 36 of the Planning Act, R.S.O. 1990. The Zoning By-law will identify the uses that are ultimately intended for certain lands, but by adding the holding (h) symbol, will delay their actual development until specific conditions are met. When the required conditions are met, a by-law removing the holding (h) symbol will be passed.

Holding zones will be used in the Zoning By-law in accordance with the policies of Section 4 of this Plan. The holding (h) symbol will not be removed until such time as Council is satisfied that adequate sewage disposal and the provision of other services is possible, development applications are approved by Council, various agreements are in place and plans of subdivision are approved, where necessary. In the interim period, the Zoning By-law shall permit existing uses and in some cases, agricultural uses.

10.4 Site Plan Control

The Town will exercise site plan control in accordance with the provisions of Section 41 of the Planning Act, R.S.O. 1990 and the following policies:

10.4.1 Proposed Site Plan Control Area

The Town of Tecumseh in its entirety is designated as a proposed site plan control area pursuant to Section 41(2) of the Planning Act, R.S.O. 1990.

10.4.2 Objectives

The Town's objectives in using site plan control are:

i) to ensure a high standard of site design for new development;

ii) to ensure safety and efficiency of vehicular and pedestrian access;

iii) to minimize incompatibilities between new and existing development;

iv) to control the location of driveways, parking, loading and garbage collection facilities;

v) to secure easements or grading and alterations necessary to provide for public utilities and site drainage;

vi) to ensure the exterior design of new development, including the character, scale, appearance and design features, and their sustainable design, is in accordance with Council-approved architectural guidelines, where applicable; and

vii) to ensure that the development proposed is built and maintained as approved by Council.

10.4.3 Application of Site Plan Control

Expansions to existing and the establishment of new medium and high density residential developments, commercial, industrial, recreational and institutional developments shall be subject to site plan control. The development of new mushroom, greenhouse and cannabis greenhouse operations shall also be subject to site plan control. The Town's Site Plan Control By-law will be reviewed and maintained to identify those uses and parameters of the site plan control process.

10.4.4 Proposed Road Widening

As a condition of the approval of site plans, the Council of the Town of Tecumseh may require the Owner to provide, at no expense to the municipality, a specified amount of land for the purpose of road widening. Such land shall only be required where the proposed development abuts one or more of the roads indicated below and only on the side and to the extent indicated below:

Road Name	Segment for which Widening is Required	Present Width	Required Width	Side
Intersection Road	Banwell Road to 11626 Intersection Road	Varies	23.0 m	north
Oldcastle Road	North Talbot Road to Highway 3	12.2 m	20.1 m	either
Oldcastle Road	Highway 3 to County Road 11	12.2 m	20.1 m	either
Ruston Road	County Road 34 to Railway	12.2 m	20.1 m	either
Tecumseh Road	Westerly Town Limit to Lacasse Blvd.	Varies	26 m	both
Tecumseh Road	Manning Road to Dresden Place	26.1 m	29.4 m	north
Manning Road	Tecumseh Road to Village Grove Road	29 m	32 m	east
Northeast corner of Tecumseh Road and Manning Road Intersection	3 m to current site visibility triangle	27.7 m	30.7 m	n/a
Manning Road	Tecumseh Road to Via Rail Canada Railway	27.7 m	30.7 m	east

Road Name	Segment for which Widening is Required	Present Width	Required Width	Side
Intersection Road	Banwell Road to 11626 Intersection Road	Varies	23.0 m	north
	Line			

10.4.5 Implementation

This policy shall be implemented through the adoption of one or more Site Plan Control By-laws designating specific Site Plan Control Areas in accordance with Section 41(2) of the Planning Act, R.S.O. 1990 and the policies contained in this subsection.

10.5 The Municipal Act, The Development Charges Act, The Community Benefits Charge

It is intended that the Town shall review existing legislation pursuant to the Municipal Act governing such uses as fences and signs, and where necessary, amend existing by-laws or pass new by-laws as may be required to ensure such uses are properly regulated and controlled. Also, it is the intention of the Town to pass a Development Charges By-law in accordance with the Development Charges Act and a Community Benefits Charge By-law in accordance with the Planning Act. The development charge outlined in the By-law will reflect Council's opinion that the majority of capital-related expenses incurred as a result of new development will be borne by the developers and not the Town at large.

10.6 Delegated Authority and Advisory Committees

The Town may delegate its authority for various approval or advisory functions in accordance with the provisions of enabling legislation including the Planning Act, the Municipal Act, and the Ontario Heritage Act. Without limiting the Town's authority to add, revise or abolish Committees pursuant to legislation, the Town has established a number of Committees and mandates as noted in the following sections.

10.6.1 Committee of Adjustment

A Committee of Adjustment has been established by Council in accordance with provisions of the Planning Act to make decisions on specific applications. The Planning Act requires that decisions on applications be consistent with Provincial Policy in effect at the time of the decision, with respect to the following:

i) applications to allow a minor variance to the Zoning By-law or any other by-law which implements the Official Plan;

ii) applications for the extension or enlargement of a legal nonconforming use;

iii) applications to allow a change in the use of land or buildings from one legal non-conforming use to another use, that in the opinion of the Committee is similar to the existing legal non-conforming use or that is more compatible with the uses permitted by the by-law;

iv) applications to grant a consent (land severance), as set out in Section 6.0; and

v) partial discharge of mortgage in accordance with Section 6.0.

10.6.2 Heritage Committee

The Town of Tecumseh Heritage Committee has been appointed in accordance with the Ontario Heritage Act to undertake the following tasks:

i) maintain an inventory of properties and structures having historical or architectural value;

ii) recommend to Council for designation under the Ontario Heritage Act, real properties having architectural or historic merit;

iii) recommend to Council areas to be designated as Heritage Conservation Districts under the Ontario Heritage Act;

iv) review plans referred to it by the Town with respect to applications to alter or demolish structures or buildings or elements that have been designated under the Ontario Heritage Act and make recommendations with respect to such proposals;

v) involve the Municipal Heritage Committee in the planning process where heritage buildings are located on or adjacent to properties that are the subject of *development* applications, including, but not limited to, amendments to the official plan and zoning by-laws, severance and minor variance applications, and site plan control review; and

vi) promote public understanding of local history and appreciation of heritage resources.

10.6.3 Tecumseh Accessibility Advisory Committee (TAAC)

The Tecumseh Accessibility Advisory Committee has been established by Council in accordance with provisions of the Accessibility for Ontarians with Disabilities Act with the responsibility of providing advice on the implementation of that legislation.

The Ontarians with Disabilities Act provides that municipalities must establish an Accessibility Advisory Committee. The Committee shall advise Council in each year about the preparation, implementation and effectiveness of the municipality's Accessibility Plan. The Committee is also responsible for carrying out all obligations of an Accessibility Advisory Committee as established by the Ontarians with Disabilities Act, as amended.

10.6.4 Property Standards Committee

Tecumseh Council enacted a Property Standards By-law which provides for a Property Standards Committee comprising three (3) members selected by Council from the Committee of Adjustment. The Property Standards Committee considers appeals from orders issued by the Property Standards Officer.

10.6.5 Cultural and Arts Advisory Committee

Tecumseh Council has established a Cultural and Arts Committee, the mandate of which is to:

i) identify cultural activities and engagements encouraging community participation (i.e. to promote theatre art, music, visual arts and film);

ii) obtain artwork depicting local diverse talents and landmarks in addition to the unique features of the Town of Tecumseh, preserving the Town's various histories in the former municipalities of the Town of Tecumseh, Village of St. Clair Beach and Township of Sandwich South, and capturing the essence and spirit of the amalgamated Town;

iii) identify prominent locations within the Town of Tecumseh for public display of artwork; and

iv) research grants and acquire donations for achieving such goals.

10.6.6 Senior Advisory Committee

Tecumseh Council has established a Senior Advisory Committee the mandate of which is to:

i) provide advice to Council and Town Administration on issues that affect area seniors;

ii) work with Town departments, agencies and organizations for the purpose of improving the quality of life for senior residents in Tecumseh;

iii) solicit input and act as a public forum for issues that affect local seniors; and

iv) identify barriers of access to seniors to Town services and programs.

10.6.7 Youth Advisory Committee

Tecumseh Council has established a Youth Advisory Committee, the mandate of which is to:

i) provide advice to Council and Town Administration on issues that affect area youth; and

ii) work with Town departments, agencies and organizations that are involved in youth initiatives.

10.7 Plans of Subdivision

It shall be the policy of the Town to recommend to the County for approval, only those Plans of Subdivision which conform to the policies of this Plan, which can be supplied with adequate servicing such as fire protection, water supply, storm drainage and sewage disposal facilities, and which are appropriate in light of the Town's financial position.

10.8 Community Improvement

Council recognizes the value of revitalizing residential, commercial and industrial sections of the Town, where warranted, and intends to continue and enhance the established processes of renovation, rehabilitation, revitalization, environmental remediation and energy improvement. To this end, it is intended that community improvement project areas will be identified and appropriate strategies for their revitalization detailed by Council through the adoption of community improvement plans in accordance with the following policies:

i) the community improvement policies of this Plan are enabling policies under the Planning Act. It is the intent of Council that the Community Improvement Area shall be the entirety of the Town of Tecumseh and may be designated, in whole or in part, by by-law, as one or more defined community improvement project areas for which detailed community improvement plans will be prepared;

ii) community improvement plans are created for various situations where there is an identified community need. Therefore, the designation of a community improvement project area, and the creation of a community improvement plan, will be entirely at the discretion of Council;

iii) the provision of financial assistance in a community improvement plan will be entirely at the discretion of Council. The Town shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town;

iv) a community improvement plan may be established for any portion of the Community Improvement Area that conforms to one or more of the following criteria:

a. the presence of building stock or housing units that do not meet minimum occupancy standards as set forth in the Town's Property Standards By-law;

b. the presence of unused or underutilized land or buildings that could be developed, redeveloped, renovated or converted to another use;

c. the presence of buildings or lands of cultural heritage value or interest and sites of archaeological significance or interest;

d. the presence of deficiencies, including accessibility considerations, in hard services including roads, sidewalks, curbs, gutters, storm and sanitary sewers, and water service;

e. the presence of lighting or other public utilities that fail to meet municipal standards, or that are not energy efficient;

f. inadequate community services such as public indoor/outdoor recreation facilities, and public open space;

g. a lack of adequate off-street parking facilities;

h. limited traffic circulation or poor access to residential, commercial or industrial areas;

i. excessive building vacancies within the area;

j. the presence of incompatible land uses;

k. the overall streetscape or aesthetics of an area require upgrading;

l. the presence of lands or buildings that may require detailed environmental site assessments or designated substances

surveys and the implementation of appropriate and necessary remediation;

m. the prevalence of building stock or housing units at a neighbourhood scale that is energy inefficient as determined through energy mapping or other means;

n. the opportunity to support development that would intensify vacant or underutilized lots in the Community Improvement Area; and

o. the opportunity to support development that would decrease carbon emissions or improve energy efficiency.

v) within the Community Improvement Area, the Town of Tecumseh intends to:

a. encourage improvement activities that contribute to a strong economic base including tourism, cultural, commercial and industrial development;

b. establish and maintain the physical infrastructure required for residential, commercial and industrial development;

c. ensure the maintenance of the existing building stock where appropriate and encourage rehabilitation, renovation and repair of older buildings;

d. preserve cultural heritage resources and facilitate the restoration, adaptive re-use and improvement of these resources;

e. provide a mix of housing types to accommodate all segments of the Town's population, including the construction of affordable housing;

f. improve parking for vehicles and active transportation modes;

g. promote the continued development and revitalization of the Tecumseh Mainstreet Community Improvement Planning Area and strengthen its role as a mixed-use, pedestrian-oriented commercial and residential centre within the Town;

h. promote good urban design in accordance with Section 7 of this Plan;

i. provide and maintain adequate social, cultural, community and recreational facilities and services;

j. improve energy efficiency and reduce carbon emissions where feasible; and

k. encourage the rehabilitation of environmentally compromised land and buildings through appropriate remediation.

vi) in order to implement its community improvement policies, the Town may:

a. designate by by-law community improvement project areas and prepare community improvement plans for the project areas in accordance with the Planning Act;

b. integrate community improvement projects with other public works and Town programs and initiatives;

c. continue to support and encourage the Business Improvement Area (BIA) in its efforts to maintain strong and viable business areas;

d. continue the enforcement of the Property Standards By-law with respect to residential, commercial and industrial building stock and lands;

e. continue to make applications to participate in all appropriate senior level government programs;

f. continue to support heritage conservation programs and initiatives;

g. continue to encourage private initiatives regarding the rehabilitation, development, conversion and environmental remediation of lands or buildings and, where appropriate, support infill development;

h. develop an environmental program designed to assist private interests in undertaking the remediation of environmentally compromised land or buildings;

i. where feasible, acquire buildings and lands to carry out community improvement objectives;

j. develop more detailed area-specific urban design guidelines for community improvement project areas;

k. consider a more flexible approach to zoning where community improvement objectives are supported; and

l. develop energy programs designed to assist private interests in undertaking actions that reduce carbon emissions or increase energy efficiency from buildings.

vii) the Town will continue to monitor and implement Community Improvement Plan Project Areas and associated Community Improvement Plans and their key financial components of tax assistance and grants.

10.9 Public Works and Capital Works Programs

i) it is intended that the construction of public works within the Town of Tecumseh shall be carried out in accordance with the policies of this Plan and meets the requirements of Section 24 of the Planning Act;

ii) the Town will work with utility companies and other providers of infrastructure to coordinate works and infrastructure improvements; and

iii) regard to the Official Plan will be had in the preparation of municipal capital works budgets and programs.

10.10 Maintenance and Occupancy By-Law

It is the goal of this Plan to maintain an efficient and pleasant living environment. To achieve this goal, a Maintenance and Occupancy By-law may be passed and enforced in accordance with Section 31 of the Planning Act, R.S.O. 1990. This by-law will establish the minimum standards for property maintenance and occupancy as they relate to:

i) the physical conditions of yards and passageways;

ii) the adequacy of sanitation including drainage and garbage; and

iii) the physical condition of all building elements.

This Maintenance and Occupancy By-law shall be enforced and administered by the Chief Building Official or any other person designated by Council. A Property Standards Committee shall also be maintained to review all appeals.

10.11 Other Methods of Implementation

The Town may use the agencies and techniques listed below to assist in the implementation of Official Plan policies as appropriate:

i) the assistance and advice of the Ontario Ministry of Agriculture, Food and Rural Affairs and the Ministry of the Environment, Conservation and Parks on agricultural operations;

ii) the assistance and advice of the Essex Region Conservation Authority on adequate flood protection and conservation measures;

iii) the acquisition of significant natural areas by public or private bodies or individuals concerned with conservation;

iv) the assistance and advice of the Ministry of the Environment, Conservation and Parks and the local Health Unit on servicing matters; and

v) the assistance and advice of Indigenous communities on cultural heritage resources and natural heritage preservation matters.

10.12 Existing Land Uses and Buildings

Certain lands within the Town have been developed for a use other than that which is permitted by the designations and policies of this Plan. Some of these uses are still operating but some have ceased to exist leaving vacant substantial buildings, most commonly commercial or industrial buildings. Such lands (both those with legally existing uses and those with vacant buildings) may be zoned in the Zoning By-law to permit the existing use if there is one or the previous use if the buildings are presently vacant provided:

i) the buildings lawfully existed prior to the date of adoption of this Plan;

ii) the use to be permitted does not interfere with the desirable development or enjoyment of neighbouring properties;

iii) the use does not constitute a danger to surrounding uses and persons because of its hazardous nature or traffic generated; and

iv) the Zoning By-law reasonably limits the amount of expansion that is to be permitted to ensure that the use does not become larger than would be appropriate for the area.

Applications to amend the Zoning By-law to permit a use that is as, or more, compatible with the surrounding area may also be approved by Council without an amendment to this Plan provided the proposed use satisfies the above criteria.

Also, there are a number of parcels that have applying to them, current zonings that are not in conformity with this Plan. Those zonings can be carried forward in the implementing Zoning By-law without the requirement of amending or modifying this Plan.

10.13 Non-Conforming Uses

Any land use which does not meet the provisions of Section 10.12 shall be left as a non-conforming use in the Zoning By-law. As a general rule, such a use should cease to exist. In special circumstances however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements be handled without an amendment to this Plan through the use of either Section 34(10) or 45(2) of the Planning Act, R.S.O. 1990. When considering an application under either section of the Act for the extension or enlargement of a non-conforming use, Council shall decide if the special merits of the individual case make it desirable to grant permission for the extension or enlargement and in so doing shall have regard to the following matters:

i) that the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Official Plan and the Zoning By-law applying to the area;

ii) that the proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use;

iii) that the application which would affect the boundary areas of different land use designations will only be processed under these policies if it can be considered as a "minor adjustment" permitted under the Interpretation clause, Section 10.17 of this Plan, without the need for an amendment. Any major variance to the property boundaries will require an amendment to this Plan;

iv) the characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity;

v) that the neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.;

vi) that adequate provisions have been, or will be made for off-street parking and loading facilities;

vii) that applicable municipal services such as storm drainage, sewage disposal and water supply are adequate and meet the approval of the Town.

10.14 Existing Lots of Record

There are several existing lots of record in the Town which are under separate ownership and which do not conform with the development standards of the designation or the corresponding zone in the Zoning By-law. Notwithstanding their non-compliance, it is the policy of this Plan that these lots may be developed for a use permitted by this Plan in accordance with the yard and other setback requirements established in the Zoning By-law provided the necessary servicing approvals are obtained from the Town and the development is in compliance with the Minimum Distance Separation (MDS) I and II.

10.15 Temporary Use By-Laws

Pursuant to Section 39 of the Planning Act, R.S.O. 1990, Council may pass "temporary use by-laws" to authorize the temporary use of land, buildings or structures for a purpose not otherwise authorized by the Zoning By-law for a specific period of time not to exceed three years or, in the case of a garden suite, not to exceed 20 years. Council may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by Council to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation, etc. are not practical. Council may pass subsequent by-laws granting extensions of up to three years. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the Zoning By-law.

Prior to the approval of any temporary use by-law, Council shall be satisfied that the following principals and criteria are met:

i) the proposed use shall be of a temporary nature, and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of temporary use provisions;

ii) the proposed use shall not be incompatible with adjacent land uses and the character of the surrounding area;

iii) the proposed use shall be properly serviced and not require the extension or expansion of existing municipal services;

iv) the proposed use shall not create any traffic problems within the surrounding area, nor shall it adversely affect the volume and/or type of traffic found on the area's roads;

v) parking facilities required by the proposed use shall be provided entirely on-site; and

vi) the proposed use shall generally be beneficial to the surrounding area or the community-at-large.

Notwithstanding the policies of this Plan, Council may authorize the temporary use of land which may not conform with the land use policies of this Plan provided:

a. the temporary use is determined to not have any detrimental effect upon the existing land uses in the area; and

b. the proposed temporary use conforms to the principles and criteria established in this subsection.

10.16 Interim Control By-Laws

Pursuant to Section 38 of the Planning Act, R.S.O. 1990, Council may pass Interim Control By-Laws to place immediate restrictions on the use of certain lands or certain land uses where the Town has directed that a study of land use planning policies be undertaken. When considering a proposal to enact an Interim Control By-Law prohibiting the use of land, the Town shall require or provide justification that there is a need to carry out a study and that the required study can be carried out expeditiously.

10.17 Interpretation

The designation boundary lines and the text of this Plan should not be interpreted in a legalistic, narrow or strict manner. They are meant to be relatively flexible. Appropriate variations may be made by Council, without an amendment to this Plan, where necessary and appropriate, provided that the general intent of the Plan is maintained.

Where any Act or portion of an Act is referred to in the Plan, such references shall be interpreted to refer to any subsequent renumbering of the sections in the Act and/or changes in the date of the Act.

10.18 Amendment Procedures

All proposed amendments to this Official Plan or the implementing Zoning By-law shall be processed in accordance with the provisions of Sections 21 and 34 of the Planning Act, R.S.O. 1990 and due regard shall be given to the following matters:

i) the degree of conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the planning principles as set out in Section 2.3, and consistency with provincial policy;

ii) the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use;

iii) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;

iv) the ability of the Town's infrastructure to accommodate the proposal; and

v) the adequacy of the transportation system to accommodate the proposal.

10.19 Official Plan Review and Monitoring

The policies and designations of this Plan shall undergo a comprehensive review in accordance with the requirements of the Planning Act. The purpose of the comprehensive review will be to:

i) document the type and location of new development that occurred since the approval of this Plan;

ii) project the nature of new development that can be expected during the subsequent identified planning horizon;

iii) review the continued appropriateness of the Plan's goals, policies and designations;

iv) formulate revised or new goals, policies and designated land uses; and

v) consider the land use impacts and related housing demands that may result from the construction of the proposed regional mega-hospital in the City of Windsor.

10.20 Consultation and Application Requirements

i) in addition to the standard information required in the Town's application forms, additional information in the form of the studies or assessments listed in this Section may be required in order to consider a planning application complete;

ii) the additional information will be required as part of a complete application under the Planning Act in order to ensure that all the relevant and required information pertaining to a development application is available at the time of submission to enable Council or its designated approval authorities to make informed decisions within

the prescribed time periods. It also ensures that the public and other stakeholders have access to all relevant information early in the planning process;

iii) in all instances, the number and scope of studies and assessments to be required for the submission of a complete application is appropriate and in keeping with the scope and complexity of the application;

iv) the additional information or material that may be required includes, but is not limited to, the following:

- Agricultural Soils Assessment/Impact Analysis on Agricultural Lands or Operations;
- Air Quality/Dust/Odour Study;
- Arborist's Report;
- Archaeological Assessment(s) and Impact Mitigation Report;
- Architectural Renderings;
- Biomass Energy Generating System-Related Studies;
- Climate Impact Study;
- Compatibility Assessment;
- Concept Plan;
- Contaminated Site Assessment;
- Decommissioning Plan;
- Design Guidelines;
- EIA Compliance Report;
- Emergency Management/Response Plan;
- Environmental Impact Assessment;
- Environmental Site Assessment/Audit and/or Previous Land Use Inventory and/or Site-Specific Risk Assessment;
- Erosion and Sediment Control Plan;
- Farm Viability Study;
- Financial Impact Assessment/Analysis;

- Floodplain Management/Slope Stability Report;
- Forest Management Plan;
- Geotechnical Study;
- Groundwater Impact Study/Well Interference Study;
- Height and Density Assessment/Analysis;
- Heritage Conservation Report;
- Heritage Impact Statement;
- Housing Affordability Analysis;
- Hydrogeological Report;
- Landscaping Plan/Natural Features Plan;
- Lot Grading and Drainage Plan;
- Massing Study (for proposed buildings);
- Market Justification and Impact Assessment;
- Minimum Distance Separation Formulae;
- Municipal Servicing Capacity Report;
- Noise and/or Vibration Impact Study;
- Nutrient Management Plan;
- Odour Impact Study;
- Parking Study;
- Photo-Montage Visualization Images;
- Planning Justification Report;
- Record of Site Condition;
- Servicing Report;
- Shadowing Impact Assessment;
- Soil Analysis;

- Solar Energy Generating System-Related Studies;
- Stormwater Management Report;
- Structural Engineering Analysis;
- Subwatershed Plan/Study;
- Surface Water Impact Study;
- Transportation/Traffic Impact Study and/or Access Analysis;
- Tree Inventory;
- Tree Preservation and Protection Plan;
- Urban Design Study/Guidelines;
- Viewplane Assessment;
- Visual Impact Study;
- Watershed Plan/Study;
- Wave Uprush Study;

v) notwithstanding the required studies and assessments listed above, Council may ask for any additional information that is considered reasonable and necessary in order to make a decision on a development application;

vi) all required reports and technical studies will be carried out by qualified persons retained by and at the expense of the proponent. The Town may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the Town at the proponent's expense; and

vii) public participation is regarded as an essential part of the municipal planning process. Proponents are encouraged to hold community meetings in addition to the statutory public meetings in order to explain the details of the development proposal to residents and agencies.

10.21 Engagement and Participation

Council shall actively encourage meaningful engagement and participation by seeking the opinions and the advice of individuals and community and stakeholder groups, including Indigenous communities, in the on-going task of implementing, monitoring and reviewing this Plan. Council shall ensure

that the public is adequately notified and consulted. The measures utilized to facilitate engagement and participation will be consistent with the scope and nature of the planning matter being addressed. Prior to making decisions related to planning matters, Council will encourage appropriate steps to be taken to resolve conflicting issues associated with the proposal. Where conflicting issues remain unresolved, these issues and the measures taken to respond to these issues shall be identified as part of any planning report prepared. Measures such as peer review and Alternative Dispute Resolution will be used when determined to be appropriate.

10.22 Indigenous Consultation

Council shall actively seek the opinions and the advice of Indigenous communities. The Town honours the land and peoples of Indigenous communities in Tecumseh and their past and present contributions to this land. Council commits to collaborating with these communities on respectful inclusion and representation of Indigenous peoples' culture in urban greenspaces, Indigenous art and ceremonial gathering spaces.

10.23 Municipal Coordination

The Town of Tecumseh is adjacent to the City of Windsor and three lower-tier municipalities within the County of Essex including the Municipality of Lakeshore, the Town of Essex and the Town of LaSalle. The Town recognizes the need to achieve orderly growth and the efficient provision of services to ensure the long-term health and prosperity of the region. There is an ongoing need to ensure coordinated planning and engineering and plans of action to foster effective and efficient growth and settlement.

Council shall, in conjunction with the County of Essex, local Essex County municipalities and the City of Windsor establish and maintain a formal protocol for on-going liaison on matters of mutual interest and concern including, but not limited to the following:

i) Growth management;

ii) Transportation and physical service coordination;

iii) Natural area conservation and watershed management;

iv) Economic development;

v) Climate change mitigation and adaptation;

vi) Coordination of overall planning activities; and

vii) Cultural heritage resources.

The Town will endeavor to co-operate with and invite affected adjacent municipalities to participate in Municipal Class Environmental Assessments for municipal infrastructure projects including roads, water and wastewater projects. The Town will also participate in the preparation of Municipal Class Environmental Assessments within adjacent municipalities as potentially being affected by the subject undertaking.

10.24 Municipal Plan Review/One Window

Notwithstanding other policies of this Plan, if the policies of this Plan require consultation with government ministries for development applications under the Planning Act, the Town and/or applicant shall consult with the County of Essex where the County of Essex is the approval authority.

Where the Official Plan has been drafted to require that an evaluation, demonstration or other action should be "to the satisfaction of" one or more of Provincial Ministries, the policy should generally be interpreted to mean that it is the Town's responsibility to ensure regard has been had for Provincial policies, standards or guidelines as established by that Ministry.

In keeping with the statutory requirement of the Planning Act, the Town will forward all applications to amend the Official Plan to the County of Essex within 30 days of receiving the application, for review and comment.

Section 11 Secondary Plans

11.1 Introduction

11.1.1 Purpose

The policies in this section of the Official Plan apply to development and redevelopment on all lands situated within approved secondary planning areas. Secondary Plans provide a more detailed planning framework for specific geographic areas within the Town, and may establish more specific land use, transportation, urban design, servicing, and implementation policies for the land areas affected. These secondary plans are intended to guide and direct Council, staff, landowners, developers, residents, other levels of government, and other interested stakeholders regarding the manner in which lands within these areas are developed and redeveloped over a 25-year planning horizon. The Tecumseh Official Plan may, from time to time, be amended as required to add one or more additional secondary plans upon their completion.

11.1.2 Relationship to Official Plan

The land use designations and policies of Section 11.2 shall be in relation to specific secondary plans as identified by way of policy and as shown on the noted Schedules. The secondary plan policies and designations generally conform to, and are designed to implement the policies of the Official Plan. However, where there is a conflict between the policies of the Official Plan and the policies of the secondary plan, the secondary plan policies will prevail and will supersede those of the Official Plan for the land area which is the subject of the Secondary Plan. In all other instances, the policies and designations of the Official Plan are relevant and shall apply.

11.2 Maidstone Hamlet Secondary Plan

11.2.1 Basis of the Plan

A community-based Secondary Plan process was initiated by the Town in order to formulate a comprehensive land use and servicing policy framework and concept plan to facilitate the development of a coordinated, properly serviced and livable community in Maidstone Hamlet. The policies and land use designations are intended to provide a policy framework that will allow for the proper evaluation of individual development applications located within the hamlet while establishing a clear vision for the hamlet's future.

11.2.1.1 The Process

Council established a Steering Committee to oversee and guide the preparation of the Secondary Plan. Given the interest expressed by

residents in the hamlet regarding its future development, two representatives of the community were selected to sit on the Committee, along with four Council members and technical support staff.

In order to facilitate a meaningful form of public involvement, a community-based planning process was undertaken to assist in the building of a partnership with residents, landowners, developers, Town Council and Administration with the common goal of positively influencing the future design, livability and quality of life in the hamlet. Accordingly, the Town held two Visioning Sessions as overseen by a professional facilitator. This led to the completion of *"Discussion Paper No. 1: Results of Community Visioning Sessions, Maidstone Hamlet Secondary Plan, June 2002"*.

Subsequently, a second discussion paper was completed, "Discussion Paper No. 2: Conceptual Plan and Servicing Report, Maidstone Hamlet Secondary Plan, July 2003, Revised September 2003". This document considered planning and servicing issues and provided for the completion of a preferred concept plan.

11.2.1.2 Guiding Community Planning Principles

In addition to having regard to the Provincial Policy Statement, a number of broad planning principles and design issues became evident as a result of the public consultation process undertaken with the community. Two key planning principles that arose from the Visioning Sessions are:

i) that the overall future design of Maidstone Hamlet should attempt to recognize and preserve the patterns and character revealed in the existing community; and

ii) that key elements and patterns of the existing rural landscape be incorporated into the future design of the hamlet.

These broad principles are to be achieved as development proceeds in the hamlet by incorporating the following key design elements and ensuring the fulfillment and realization of a community vision that applies the following specific principles throughout the hamlet and within individual developments:

a. *Linked Open Space System*: The Pike Creek, the Ontario Hydro corridor, a number of tree lines along with stormwater management requirements provide the opportunity to create more naturalized spaces throughout the hamlet which may serve as the focus of a linked open space system. The Ontario Hydro corridor may service as the major east-west open space spine for a trail system linked to the Pike Creek and other open space areas;

b. *Compatible New Development*: New development needs to be designed so as to respect and complement the existing hamlet scale, character of buildings, sense of openness and country setting;

c. *Importance of 'Quality of Life' and 'Sense of Place'*: An abundance of trees (tree-lined streets and trails), open spaces and uncluttered pedestrian ways greatly influence a community's appearance, physical character, livability and "feel". This combined with linked neighbourhoods and a network of streets, sidewalks and multi-purpose trails provide opportunities for exercise, socializing and interaction of citizens and an improved quality of life and sense of place;

d. *Malden Road, an 'Original Rural Road'*: This road currently links County Road 34 to County Roads 19 and 46 to the north and is characterized by a single tier of deep residential lots along both sides of the majority of its length. A deep ditch is situated close to the paved portion of the road. The existing built form has a strong rural sense, with deep lots and homes set back a significant distance from the road. New traffic resulting from growth in the hamlet shall be directed to a new north-south road system. Malden Road shall remain as a two-lane rural road with open drains, to be used locally and where possible integrated as part of a recreation trail system. Appropriate measures will be undertaken to ensure that "through" traffic, with neither an origin or destination in the hamlet, is discouraged from using Malden Road and, instead, is directed to County Roads 19, 34 and 46;

e. *Community and Cultural Elements:* Cultural heritage elements and community facilities, including buildings and structures, are incorporated as focal points of the community. Features which help create the unique identity of the hamlet and are part of its social fabric include the church, elementary school, post office and grain silos;

f. *Improved and Properly Identified Gateways to the hamlet:* The road intersections providing points of entry to and means of exit from the community need to be of such a design to ensure safe movement of people and vehicles. Special design treatment and land uses on abutting parcels at key entry points can further identify the community;

g. *Employment:* Grain storage and handling facilities are integral components of the municipality's agricultural economy. Noise, dust and lighting studies will be required before any residential development on lands takes place to ensure that sensitive uses are properly set back from these facilities and proper

subdivision and building design measures are taken to ensure land use compatibility.

11.2.1.3 Preferred Concept Plan

A preferred conceptual road pattern and land use pattern for Maidstone Hamlet was presented in Discussion Paper No. 2 and is generally incorporated into the Official Plan as Schedules “B-3” and “E-3”. The principle components of the preferred concept plan, which shall be achieved as individual developments are designed, reviewed and approved, are summarized below and are designated and/or shown conceptually on Schedules “B-3” and “E-3” of the Official Plan. It is noted that in some instances land consolidation and/or mutual cooperation between abutting, developable lands will be required in order to properly achieve the following:

i) new municipal parkland totaling 9.71 hectares, including one 4.05 hectare parcel for community parkland adjacent to an existing woodlot and 1.78 hectares strategically located adjacent to existing recreational facilities (Diocese lands and St. Mary School property), along with a number of smaller neighbourhood parks, has been provided for. The 4.05 hectare community park is strategically located adjacent to an existing woodlot. There are opportunities for some areas to be naturalized, or used for tot-lots or provide picnic areas or rest-stations along the trail system. Smaller parkland areas provide the starting point for the multipurpose trail system while also providing a central open space feature in individual neighbourhoods;

ii) open space areas that are linked by an integrated multipurpose trail system. Approximately 9 kilometres of new trail facilities have been provided for to ensure safe and convenient movement around the hamlet for cyclists and pedestrians while exposing users to a range of open space settings and destinations. The trail is intended to linkage between various residential areas and commercial areas and community facilities. Accordingly, the trails are intended to have a number of potential destinations in addition to providing opportunities for recreation and social interaction. Sidewalks on local streets will interconnect with the trail system;

iii) Pike Creek, to the greatest extent possible, to remain a natural, undisturbed watercourse, with a 15.24 metre “protective” corridor to either side. Future maintenance of the creek will be achieved from this linear area, which would preferably be of public ownership. Trails are to be integrated along the Pike Creek along with ‘regional’ stormwater management features;

iv) a core of open space features extending from the northwest to the southeast;

v) use of ‘regional’ type stormwater management facilities, that also provide a visual amenity and passive recreational opportunities and are an integral component of the multipurpose trail;

vi) provide single-loaded roads at key locations to provide:

a. benefit to whole community of open space features;

b. “eyes of community” watching open space areas;

c. creating focal points/places of interest and sense of openness throughout the community;

d. sight lines from intersecting streets opening upon open space, thus defining the character of the community;

vii) establish a highly interconnected street system (modified grid) with shorter block lengths allowing for a more balanced transportation system that works better for cyclists, pedestrians and the automobile;

viii) on the collector roads, create a more naturally flowing road that is more reminiscent of a hamlet or village setting, with slight curves in the road revealing identifiable features or land markings in the distance;

ix) maintain Malden Road as a “character road”, such that it’s cross section is not changed as a result of development, rather a new street pattern is created to direct traffic to new north-south collector roads;

x) limit direct, individual access onto collector road except where no other alternative available. This provides an opportunity for a trail system along the collectors that is not overly encumbered by individual driveways;

xi) close existing 6 corners intersection and relocate intersection to south to a new, re-aligned Malden Road and North Talbot Road (in Town of Lakeshore) intersection at County Road 19;

xii) provide opportunities for commercial development (including uses such as retail, office uses, gas station, restaurant) at locations that:

a. have least impact on residential character/integrity of the community;

b. create gateway features to the community;

c. meet the daily needs of the community as well as respond to some of the needs of the traveling public at strategic locations (e.g. intersection of County Roads) which are less suitable for residential-type uses;

d. are integrated with the trail system for convenience and act as ‘destination’ points on the trail;

xiii) allow single unit development on a lotting pattern that has regard to the existing lotting pattern, such that where existing single tier residential lots exist, new lots abutting will have a minimum depth of 45.72 metres and larger widths (30.48 metre minimum) and completion of the existing lotting pattern (single tier of lots, with direct connection) on Malden Road and Talbot Road to maintain their character of homes “looking upon” the street (exception is south side of Talbot Road, west of the railway);

xiv) majority of residential lots to be single unit with a frontage of 25.90 metres, depth of 36.57 metres, for total area of 947.61 square metres per lot, creating a unique residential character for the hamlet, taking into account existing development pattern;

xv) provide opportunities for reduced residential lot frontages where adjacent land uses may make the lands less suitable for larger residential lots, for example abutting commercial lands and major transportation corridors (highways and railways) as well as areas that are away from the existing built areas;

xvi) the general pattern of new residential lots is for larger single unit lots to be abutting existing residential development, gradually moving to a range of smaller single unit residential lots (to an 18.28 metre minimum frontage) and some more intensive housing forms (semi-detached, townhomes) as one moves towards the outer limits of the hamlet, as generally shown on the preferred concept plan. The foregoing subparagraphs regarding lot sizes provide for a range of lot sizes, housing sizes and housing needs;

xvii) provide deeper single unit residential lots and/or setbacks abutting features that may require increased separation and other forms of mitigation to address noise, dust, lighting, vibration, and other forms of non-compatible features commonly associated with highways, railways and the existing grain elevator operation. All residential development shall be required to prepare and implement the findings of specific studies to address these issues (scope and extent of buffering/mitigation to be determined at the time of development, based on the recommendations contained in individual studies prepared by qualified professionals and those other studies deemed necessary);

xviii) increased side yards are to be incorporated to allow greater separation between residential buildings on separate lots (e.g. 2.43 metre side yard for 4.87 metre separation between buildings). A slightly reduced building separation may be considered for 18.28 metre lots.

A breakdown of the land use components and their areas on the preferred concept plan follows:

Land Use Components

Existing Land Designated Commercial	5.09 hectares
Additional Land to be Designated Commercial	5.42 hectares
Diocese Parkland	1.29 hectares
St. Mary's School Parkland	1.29 hectares
New Municipal Parkland	10.03 hectares
Area of Ontario Hydro Corridor	5.58 hectares
Easterly Stormwater Management Land Area	1.82 hectares
Westerly Stormwater Management Land Area	1.01 hectares
Multipurpose Trail	8.85 kilometres

Approximate Total Dwelling Units/Population

30.48 metre frontage lots	70 dwelling units
25.9 metre frontage lots	450 dwelling units
Less than 25.9 metre frontage lots	280 dwelling units
Semi-detached and townhome lots	100 dwelling units
Total Dwelling Units:	900 dwelling units

Assuming an average 3.12 persons per household, the preferred concept plan accommodates an approximate population increase of 2,810 persons. With a 2002 population of approximately 500 persons, the total Maidstone Hamlet population at build-out, over a 20-year planning horizon from 2002 to 2022, would be approximately 3,310 persons. Given the absence of residential development as of 2020, these build-out projections are carried forward to a 25-year planning horizon of 2020 to 2045. Notwithstanding the foregoing, it is recognized that these are estimates and that there may be some variation in the size of lots and types of dwelling units as development proceeds over time and in accordance with the policy direction established in Section 11.2.1, 11.2.2 and 11.2.3 of this Plan.

Reference should be made to Section 11.2.5 of this Plan regarding servicing issues in Maidstone Hamlet.

11.2.2 Maidstone Hamlet Residential Goals

The following goals are established for the Maidstone Hamlet Residential area:

i) to recognize the existing residential development and employment uses and to encourage new residential development within the hamlet;

ii) to allow for further development of primarily single unit detached dwellings taking into account the existing residential character, built form and densities in the hamlet while providing some range in new lot sizes;

iii) to allow, in a limited fashion, the introduction of more intensive housing forms (semi-detached dwellings and townhomes) where suitably located and in recognition of the Provincial Policy Statement;

iv) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, ARUs, conversions and redevelopment;

v) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years;

vi) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;

vii) to encourage residential development in the hamlet where a full range of municipal infrastructure (including a piped sanitary sewer system) can be provided in a cost-effective and environmentally sound manner; and

viii) to require a development pattern that is in accordance with the guiding principles of the Maidstone Hamlet Secondary Plan, as established in Section 11.2.1 of this Plan and which reflects and implements the general design direction shown on Schedules “B-3” and “E-3” of this Plan.

11.2.3 Maidstone Hamlet Residential Policies

The following policies shall apply to those lands designated Maidstone Hamlet Residential on the Land Use Schedules of this Plan:

i) residential development shall primarily consist of single detached dwelling units. More intensive forms of residential development may be permitted in accordance with Section 11.2.1.3 of the Plan and

subject to consideration by way of site specific zoning by-law amendments;

ii) the density of residential development and its relationship to existing development shall be established by permitting different minimum lot sizes at different locations throughout the hamlet, in keeping with the policies of Section 11.2.1 of this Plan. In addition to the policies established in Section 11.2.1 regarding the location and size of residential lots, the following additional policies apply:

a. the location of lots having a minimum frontage of 30.48 metres and a minimum depth of 45.72 metres shall be as specifically shown on Schedule “B-3” of this Plan;

b. the remainder of new residential lots shall be a mixture of lots in accordance with the policies of Section 11.2.1.3 of this Plan. All lots fronting upon Talbot Road shall have a minimum depth of 45.72 metres. Increased lot depths may also be required as a result of further studies as required by Subsection 11.2.3 vii);

iii) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:

a. redevelopment, including the redevelopment of brownfield sites;

b. the development of vacant or underutilized lots within previously developed areas;

c. infill development;

d. the conversion or expansion of existing commercial and institutional buildings for residential use; and

e. the conversion or expansion of existing residential buildings to create new residential units or accommodation, including ARUs;

iv) an ARU shall be permitted within a single unit detached, semi-detached or townhouse dwelling unit subject to the following criteria:

a. the gross floor area of the ARU is equal to or less than the gross floor area of the primary dwelling unit on th e lot;

b. the dwelling fronts on and has access to/from a municipal road or municipal laneway;

c. there are full municipal services and no servicing constraints, except where the property is not yet serviced by municipal sanitary sewers, consideration may be given to a private on-site sewage service subject to approval of the Town's Building Department and no other ARU or garden suite is on the property; and

d. adequate off-street parking is provided;

v) a stand-alone ARU, as an ancillary use to a single unit detached or semi-detached dwelling unit, shall be permitted subject to the following criteria:

a. the ARU is subordinate to the primary dwelling on the lot;

b. the ARU can be integrated into its surroundings with negligible visual impact to the streetscape;

c. the ARU is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;

d. there are full municipal services and no servicing constraints, except where the property is not yet serviced by municipal sanitary sewers, consideration may be given to a private on-site sewage service subject to approval of the Town's Building Department and no other ARU or garden suite is on the property; and

e. other requirements such as parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas are adequately addressed;

vi) garden suites shall be permitted as a temporary use in accordance with the policies of Section 10.15 of this Plan and subject to the following criteria:

a. a maximum of one garden suite per single unit detached dwelling lot or semi-detached dwelling lot;

b. sufficient parking, landscaping and buffering are provided;

c. the property owner must reside in the primary dwelling on the lot;

d. there is no ARU on the property;

e. the property owner has entered into an agreement with the Town with respect to such matters as installation, maintenance, removal and occupancy of the garden suite and has posted suitable financial security with respect to the agreement in accordance with the *Planning Act;*

f. a certificate of occupancy will be required prior to occupancy;

g. there are full municipal services and no servicing constraints, except where the property is not yet serviced by municipal sanitary sewers, consideration may be given to a private on-site sewage service subject to approval of the Town's Building Department; and

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

vii) home occupations may be permitted, provided they do not alter the residential character and amenity of the area;

viii) the creation of new lots for residential purposes will primarily occur by plan of subdivision. However, consents for residential lots will be permitted in accordance with the policies contained in Section 11.2.4 of this Plan. All lotting and road patterns, regardless of how the lot is created, shall be designed in accordance with subsection 11.2.1 of this Plan and reflect and implement the general design direction shown on Schedules "B-3" and "E-3" of this Plan;

ix) the undeveloped lands that are designated Maidstone Hamlet Residential and have servicing constraints shall be placed in a holding zone in the implementing zoning by-law at the time development applications are being considered by the Town or at such time prior to development applications as Council deems appropriate. The holding symbol will be removed when appropriate sewage, water and any other necessary infrastructure is available to the satisfaction of the Town and a plan of subdivision is approved, where required. Existing uses and agricultural uses, excluding livestock intensive operations, greenhouse operations and mushroom farms, shall be permitted in the interim;

x) it is the intent of this Plan to avoid intrusions of commercial activities into the residential areas. Therefore, new commercial uses shall not be permitted in the Maidstone Hamlet Residential designation;

xi) a grain elevator operation is currently located on the north side of Talbot Road, west of Malden Road on lands designated General Commercial on Schedule "B-3" of this Plan. Prior to new residential

development proceeding in the hamlet within 300 metres of this facility, the developer shall be required to prepare noise, dust and lighting studies (including but not limited to the Ontario Ministry of the Environment, Conservation and Parks document "Noise Assessment Criteria in Land Use Planning Publication LU-131) by qualified professionals to ensure land use compatibility between sensitive uses and the grain elevator operation for review and approval by the Town and other authorities, as required, and recommended setbacks and mitigation (e.g., structural design features), if required, will be included within any development application. Such studies shall be conducted during the grain elevator's peak season of July to December at which time dryers are used and the operation will be 24 hours a day, 7 days a week with associated truck movement on and off site. In addition, development agreements executed between the Town and residential developers shall include a provision that requires notice be given on the title of new residential lots regarding the grain elevator operation, its location and the nature of its operations;

xii) areas identified as "Recreational" on Schedule "B-3" of this Plan represent an overlay designation that identifies the general location of lands that are intended to be set aside for recreational facilities having a range of purposes, as noted in Subsection 11.2.1 of this Plan. The precise location and size of each of these recreational areas shall be determined at the time individual development plans are being reviewed and approved and shall be in accordance with Section 11.2.1 and the general locations shown on Schedule "B-3" of this Plan. Uses permitted in the locations determined at the time of development approval shall be as established in Subsection 4.7 of this Plan.

11.2.4 Maidstone Hamlet Residential Land Division Policies

In areas designated "Maidstone Hamlet Residential", division of land by consent shall only be permitted in accordance with the following policies:

i) the creation of new lots shall be in accordance with Section 6 of this Plan; and

ii) the proposed new lots shall be in accordance with subsection 11.2.1.3 and Schedule "B-3" of this Plan.

11.2.5 Maidstone Hamlet Servicing Policies

11.2.5.1 Municipal Water Services

All development in Maidstone Hamlet will be serviced by municipal water services in accordance with Section 8.2 of this Plan.

11.2.5.2 Municipal Sanitary Sewer Services

All development in Maidstone Hamlet will be serviced by municipal sanitary sewer services in accordance with Section 8.2 of this Plan.

11.2.5.3 Storm Drainage

All development in Maidstone Hamlet will be serviced by storm drainage in accordance with Section 8.3 of this Plan.

It is noted that Maidstone Hamlet is presently being drained either directly by Pike Creek or a series of municipal drains which, in turn, outlet into Pike Creek. These drains are the Manning Road West Townline Drain, the Malden Road East and West Drains, the east branch of the Delisle Drain, the North Talbot Road Drain and the Talbot Road Drains (north and south). Three (3) smaller drains (the Small Drain, the Collins Drain, and the Cunningham Drain) drain the area bounded by County Road No. 34 (Talbot Road), the CN/CP railway, County Road No. 19 (Manning Road) and Malden Road.

In considering the stormwater management solutions for development in Maidstone Hamlet, regard will be given to the Town's objective of achieving stormwater management facilities on or near Pike Creek, as shown on Schedule "B-3". One pond with a total approximate land area of 2 to 3.2 hectares (5 to 8 acres) will be located east of Malden Road near the existing park area to accommodate flows from the east of Malden. Two ponds, each with a total land area of 2 to 2.4 hectares (5 to 6 acres) will be located west of Malden Road to accommodate flows from west of Malden Road. It is important to note that the actual area and location will be more accurately determined as lands are developed and storm water calculations are undertaken and storm water management reports are completed in accordance with Section 8.3 of this Plan. It is the intent that the pond areas not only serve to enhance water quality but also must add an important visual/environmental amenity with opportunities for integration of the multipurpose trail system. The ponds should become focal points and defining elements for their respective neighbourhoods.

Pike Creek is to remain as untouched as possible to keep its rural pristine appearance with a 15.24 metre (50 foot) natural buffer strip on either side of the creek, from within which future maintenance works may be completed and a trail system can be integrated.

11.2.5.4 Transportation

All development in Maidstone Hamlet will be serviced by a transportation system in accordance with Section 9 of this Plan. In addition, the following more specific policies shall apply to development within Maidstone Hamlet, as depicted on Schedule "B-3" of this Plan.

The existing road pattern for the developed portion of the Hamlet and the adjacent lands is shown on Schedules “B-3” and “E-3” of this Plan. The conceptual location of future collector and local roads for the undeveloped lands situated within the Hamlet are depicted on Schedules “B-3 and “E-3” of this Plan.

The alignment of future collector and local roads is depicted conceptually on Schedule “E-3” of this Plan. The precise alignment of all new roads will be determined at the draft plan of subdivision stage and will be guided by Schedules “B-3” and “E-3” as well as Sections 11.2.1, 11.2.2 and 11.2.3 of this Plan and, for clarity, shall include the strategic location of single loaded roads overlooking open space areas, local roads opening and intersecting with open space areas and the integration of a trail system within portions of the collector road right-of-way.

Maidstone Hamlet is serviced by three (3) major arterials: County Road 19 (Manning Road), County Road No. 46, County Road No. 34 (Talbot Road) and by Provincial Hwy. No. 3. The limits of the Hamlet are well defined by County Road No. 19 (Manning Road) and the Town of Lakeshore to the east, the railway line and Hwy. No. 3 to the south, and County Road 46 to the north. The westerly limit has been set at the westerly limit of Farm Lot 294 and the East Branch of the Delisle Drain.

The Hamlet is dissected into various segments by both natural and man-made obstacles, including Pike Creek, Ontario Hydro Corridor; Malden Road and the CN/CP Railway. The new collector road system along with a limited number of local roads will integrate these areas.

Access is offered to that portion of Maidstone Hamlet which lies to the west of Malden Road by a proposed collector road system which interconnects County Road 46 to the north, County Road 34 (Talbot Road) to the south, which in turn connects to Highway No. 3 and to Malden Road to the east at two (2) separate locations.

In an attempt to integrate the area west of Malden Road with that east of Malden Road, the east collector road will intersect Malden Road and connect to the collector system to the west. This east collector will also connect to County Road No. 34 to the south.

The overall road concept establishes a new north/south collector road system that will direct traffic away from existing Malden Road.

A system of linear pedestrian/bicycle pathways along streets, the Ontario Hydro corridor and the naturally occurring alignment of Pike Creek will also serve to integrate the various segments. These will serve as an access to the focal point of the Hamlet, the St. Mary's Church/School/park area.

Although Malden Road is intended somewhat to remain in the existing condition, the additional vehicular traffic and pedestrian traffic generated by

the adjacent development would no doubt impact Malden Road. For this reason, it is the policy of this Plan that only a limited improvement be considered, i.e. trail on one side, improved street lighting, improved barrier or separation between pavement and existing roadside drain for safety purposes.

Under the April 2002 County of Essex County Road 19 Corridor Study, F. R. Berry & Associates identified several roadway improvements anticipated in the next 20 years. One area of concern is the County Road No. 19/North Talbot Road/Malden Road intersection and its proximity to County Road No. 46. The development of the Hamlet will exacerbate the traffic problem foreseen in this area.

Due to the fact that this area is situated in Tecumseh west of Manning Road and in Lakeshore east of Manning Road, and under the ownership of several parties, any improvement to the alignment of these roads will prove challenging but necessary nonetheless. A proposed approximate realignment is shown on Schedules “B-3” and “E-3”. Ultimately, the design will be required to be consistent with the County Road 19 (Manning Road) and County Road 22 Improvements, Environmental Study/Preliminary Design Report, dated November 2008 and prepared by the Ministry of Transportation and the County of Essex.

All proposed local residential rights-of-way must be a minimum of 20 metres in width to accommodate the above- and below-ground infrastructure. The proposed collector right-of-way must be a minimum of 24.38 metres in width in order to accommodate the proposed 3.65 metre foot wide multipurpose, hard-surfaced trail on one side. Pavement width for the collector road need not be any wider than that of local residential streets, except at its intersection with Talbot Road, Malden Road and County Road 46, where a widened pavement width will be required to accommodate left turn lanes, unless determined otherwise by additional traffic impact studies.

A multipurpose trial system is an amenity intended to provide a broad range of recreational opportunities, encourage walking/cycling as an alternative means of transportation for short trips within the Hamlet, and provide a safer environment for pedestrian and non-vehicular recreational traffic. A properly designed trail system will be able to safely interconnect community facilities such as the school, parks and various areas of open space, the church and commercial sites with the surrounding residential community. The trail should be uniformly hard-surfaced throughout the Hamlet.

Improvements will be required where new collector roads intersect with external roadways. In particular, improvements will be required at the following locations:

- intersection of Malden Road and County Road 19;
- length of road connecting County Road 46 and North Talbot Road,

along with intersection of same road with County Road 46;

- intersection of new collector roads with Talbot Road (County Road 34).

These improvements may include widenings, turning and bypass lanes, the introduction of traffic signals and traffic circles. Improvements, as identified through individual traffic studies, will be subject to the approval of the County Engineer along with the Town and will be subject to the preferred design solutions of any Municipal Class Environmental Assessment completed in these areas.

11.3 Tecumseh Hamlet Secondary Plan

Part A: The Plan Context

11.3.1 Purpose

The purpose of the Tecumseh Hamlet Secondary Plan ("THSP") is to establish a detailed planning framework for urban development of the lands which had been designated Future Development in the Tecumseh North Settlement Area of the Official Plan as shown on Schedule "B-2".

The THSP is intended to ensure the efficient and appropriate development of the study area —known as the Tecumseh Hamlet Secondary Plan Area ("THSPA") — to help realize a healthy, vibrant, and liveable community, while protecting and enhancing valuable existing assets and characteristics.

The THSP will guide the integration of existing and new development, distribution of land uses, and related infrastructure requirements. It will seek to strengthen mobility and street network; build an interconnected system of public open space; identify the location and distribution of community facilities; and identify future development intensity and scope. One of the main objectives of the THSP is to create a complete, walkable, and diverse community. This will be achieved through sustainable neighbourhoods that deliver a mix of land uses and building types, including a range of housing options, supported, and enhanced by quality private development projects, new public spaces, and communal amenities.

The key objectives during the preparation of the THSP were to:

1. Facilitate a community consultation process and engage a broad range of residents and stakeholders regarding relevant issues in the community;

2. Prepare a Secondary Plan that defines the overall vision, planning and design principles, and policy framework for the THSPA, including land use, development intensity, servicing, mobility, and growth within the THSPA and conforming to the Town's Official Plan. Accordingly, the THSP establishes land use and urban design policies; natural heritage policies; streetscape design guidelines; a movement framework including a

complete road network, sidewalks, multi-use bicycle and pedestrian paths, and future transit corridors; parks and open space, commercial and mixed uses, a range of housing types, community facilities and stormwater management areas; and servicing corridors; and,

3. Develop implementation tools and strategies to achieve the Town's policy objectives.

The Town is committed to these key objectives toward guiding and encouraging new development, while establishing a unique character for the THSPA as a mixed-use, walkable, and transit-supportive community, one that will enhance the amenity, vitality, and quality of life in Tecumseh.

11.3.2 Secondary Plan Structure

This Plan includes three interrelated components - the Policies and Schedules, that must be considered together, along with the Implementation section of the Plan.

Part A — The Plan Context:

This section outlines the purpose and the lands affected by the Plan.

Part B — The Secondary Plan:

This section defines the land use policies and urban design guidelines of the THSP. It describes the vision and principles that structure the policies to guide how change and development is managed and should take place. The land use polices guide the physical development framework related to use, location, and development density and provide direction for public infrastructure. It establishes criteria by which development in the THSPA is evaluated.

The Urban Design Guidelines, which form part of the THSP, establish specific criteria for the enhancement and improvement of built form, the public realm, and mobility to ensure a contextual fit, a safe and accessible environment, and an enhanced quality of place.

Part C — Implementation:

This section outlines a procedural implementation process that includes how development will be monitored and reviewed. It includes polices for development approvals and land acquisitions, and provides recommendations to guide infrastructure improvements, including linkage to the associated Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report and Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report.

THSP list of schedules:

Schedule H-1	Study Area
Schedule H-2	Structure Plan
Schedule H-3	Road Hierarchy
Schedule H-4	Planned Right of Way Width
Schedule H-5	Cross Section – 20m Typical
Schedule H-6	Cross Section – 23m Typical
Schedule H-7	Cross Section – 23m Special Design 1
Schedule H-8	Cross Section – 23m Special Design 2
Schedule H-9	Cross Section – 23m Special Design 3
Schedule H-10	Land Use Plan
Schedule H-11	Open Space Framework
Schedule H-12	Major Infrastructure Corridors
Schedule H-13	Pedestrian Network
Schedule H-14	Cycling Network
Schedule H-15	Transit

11.3.3 The Study Area

The Tecumseh Hamlet is south of County Road 22 and is generally delineated by County Road 19/Manning Road to the east, County Road 42 to the south and Banwell Road to the west. The Hamlet is situated between two municipalities: the City of Windsor to the west and the Town of Lakeshore to the east. The current population of the Hamlet is approximately 4,000. This population is housed within approximately 1,300 dwellings situated within neighbourhoods east and west of Lesperance Road - the central north-south transportation corridor in the existing Hamlet. A commercial node is on the south side of County Road 22 and Lesperance Road intersection. In addition, commercial and light industrial uses are near the County Road 22 and County Road 19 intersection and along either side of County Road 42. A new large-scale battery electric plant is under construction in the City of Windsor, on the west side of Banwell Road, south of E.C. Row expressway.

The lands subject to the policies of the THSP are shown on Schedule “H-1”. The THSPA is a composite of primarily large undeveloped lands that are currently farmed and were designated as “*Future Development*” in the Official Plan prior to the THSP. In addition, there are several natural heritage features, a few homes, and a kindergarten to grade 12 school in the THSPA. The Plan policies also address the extension of municipal infrastructure, including roads, trails, and underground services, into existing neighbourhoods.

Part B: The Secondary Plan

11.3.4 A Vision for change in the Hamlet

11.3.4.1 Vision Statement

The THSPA is a complete community characterized by beautiful and walkable places to live, work, play, shop locally, and enjoy nature. The Vision reflects an appropriate level of residential and commercial intensification, mix of uses, and connectivity to support a more sustainable, vibrant, and self-sufficient community.

11.3.4.2 The Guiding Principles

The following principles support the Vision Statement towards the development of a complete community, reinforcing the development of an appropriate land use mix, housing diversity, and increased amenity space. These principles are intended to support and guide the development of enhanced mobility options, environmental improvements, design excellence, increased connectivity, and public realm investments. All public and private sector initiatives within the THSPA should adhere to these fundamental objectives, as they are set to guide future development in a direction best suited to achieving the Vision.

11.3.4.2.1 Create a vibrant, complete, mixed-use community

The THSPA should accommodate and encourage a mix of uses to support a vibrant and complete community.

i. Establish a mix of land uses that support a diverse and inclusive community, including residential, commercial, and institutional uses that are compatible and strategically located to create a walkable and connected community.

ii. Foster the creation of new gathering places, destinations, and amenities that cater to a range of age groups and are located within close proximity to residential areas. This includes parks, community centers, and commercial nodes that offer a variety of services and amenities to residents.

11.3.4.2.2 Create a unique identity and quality of place

The development should contribute to creating a unique identity and quality of place for the Hamlet, drawing upon existing natural heritage features, and

creating inspiring and memorable places.

i. Develop an approach to urban design that provides a high-quality public realm and built form environment.

ii. Ensure development that is human-scaled and appropriate to its context, creating a comfortable pedestrian environment.

11.3.4.2.3 Provide opportunities for all to live in the Hamlet

The plan should provide for a diverse range of housing options, supporting a variety of incomes, family types, and age groups, allowing people to live in the THSPA through all stages of their lives.

i. Develop high quality smaller lot single-unit and multi-unit house forms.

ii. Provide a diversity of housing forms, tenure, and affordability options.

11.3.4.2.4 Create lively and viable commercial nodes

Create a unique and vibrant commercial environment that is accessible, active, visible, and viable in the local market, without negatively impacting other commercial areas in Tecumseh.

i. Create a commercial environment that draws high visitor traffic and provides compelling reasons to visit.

ii. Create a commercial base that appeals to all demographics and can respond to changing needs and preferences and is adaptable to current trends.

iii. Create a commercial environment that is highly visible and accessible to all modes of transport, with sufficient parking for cars and bicycles, and an attractive public realm.

11.3.4.2.5 Create walkable neighbourhoods

The identity of the THSPA will be strengthened by its walkability and accessibility of neighbourhoods through the development of high quality, pedestrian- oriented streetscapes that are safe, welcoming, and accessible, creating a distinct public realm environment.

i. Ensure streets are designed with appropriately scaled street lighting, tree canopy, landscaping, and generous sidewalks.

ii. Provide centrally located amenities within walking distance of residential areas. Provide well-linked and safe pedestrian connections and linkages to amenities throughout the THSPA.

iii. Ensure that traffic along main streets and local residential streets move at safe speeds and are pedestrian and bicycle friendly.

11.3.4.2.6 Provide high quality open spaces

i. Development in the THSPA should reflect a balanced approach to built form and open space, providing an increased amount of high-quality open spaces for all to enjoy.

ii. Ensure residential areas are adequately served by community amenities such as public parks, civic spaces, recreational facilities, and other community amenities.

iii. Create a connected network of parks, trails, and open spaces throughout the THSPA, connecting existing development and parks to new development areas.

iv. Create centrally located parks within residential areas.

v. Enhance existing green open space corridors (i.e., the hydro corridors and the McAuliffe Park) and ensure they are well connected.

vi. Design active and passive spaces providing activities for all ages, including sport fields and facilities, picnic areas, playgrounds, seating, lighting, and public art.

vii. Use natural heritage features and stormwater management ponds as usable open space where possible.

viii. Ensure equitable distribution of tree canopies and green spaces throughout the THSPA

11.3.4.2.7 Protect and enhance heritage resources

All new development will respect Tecumseh Hamlet's heritage assets and contribute to its heritage character.

i. Conserve and protect natural heritage areas such as the McAuliffe Woods Conservation Area and other natural features in a natural state.

ii. Ensure that new development will not adversely impact the conservation of natural and cultural heritage features.

iii. Establish respectful physical and visual access to natural heritage features and integrate them into the open space network where possible.

11.3.4.2.8 Create a supportive transportation network

The design of the transportation network should support a range of users, including pedestrians, cyclists, public transit, and private vehicles.

i. Develop a well-connected street network that provides safe, efficient movement for a diversity of users.

ii. New development should support the potential for future investment in public transit through increased densities.

iii. Design streets and the public realm to ensure pedestrian safety and comfort as a priority.

iv. Provide a safe and well-connected pedestrian and cycling network that facilitates movement throughout the area and surrounding areas.

v. Explore safe crossing opportunities over the railway tracks to bridge the gap between north of the THSPA and south of the THSPA.

11.3.4.3 Area Structure

Development in the THSPA will be organized by a Structure Plan. The Structure Plan identifies a series of elements including road network and block structure, parks and open spaces that will improve the look, feel, function, and mobility of the THSPA, and serve as organizing elements for development around them. The Structure Plan also identifies opportunities for increased residential density and mix of uses, providing a framework to ensure a comprehensive approach to future development within the THSPA.

Schedule “H-2”: Structure Plan identifies the following elements which will define the structure of land use within the THSPA and serve as the foundation of the planning framework for the THSP:

- **Road Network** identifies existing streets, reconfigured and/or widened existing streets, and new streets, together forming a cohesive, multi-modal transportation network across the THSPA. The pattern, grid, and hierarchy of streets, as illustrated on Schedule “H-3”: Road Hierarchy and Schedule “H-4”: Planned Right-of-Way Widths, is intended to be implemented through the site-specific development process. The recommended cross sections are shown on Schedules “H-5” to “H-9”. Cross-section widths must be confirmed during the detailed design phase and based on development-specific traffic assessments, site access, and servicing requirements.

- **Distribution of Residential Density** conveys the locations and intensity of planned residential development, with the dark red areas corresponding to the highest densities, and the lighter areas corresponding to medium and low-density. Locations of high-density development are generally adjacent and easily accessible to arterial roads and commercial areas and will provide for a transition in scale toward lower density residential areas.

- **Community Amenity Nodes** consist of pedestrian scaled “main street” related commercial along Maisonneuve Street and Commercial nodes including anchor commercial development at the Banwell Road and Gouin Street gateway, as well as neighbourhood scale commercial and retail amenity and services at the intersection of Banwell Road and Shields Street.

- **Open Space Network captures a variety of open spaces including parks, recreation, and natural features, and SWMPs.** These elements are distributed throughout the THSPA to create an interconnected network of accessible open spaces, all within walking distance.

- **Gateway Locations** are identified as part of the Structure Plan. The gateway features accentuate entry points into the THSPA through distinctive architectural design, façade treatments, special landscaping, plazas, open spaces, and public art installations.

11.3.5 Land Use Policies

The policies in this section address the range of land uses in the THSP and are intended to guide all future planning and development, ensuring it supports the vision for the THSPA. The policies applying to the various land use designations provide a comprehensive development framework to integrate new and existing uses, and to ensure an appropriate and desirable build-out for the area over the long term. The Land Use Designations Goals and Policies are meant to be read in conjunction with the Urban Design Guidelines in the next section, which provide more detailed built form parameters for new development including guidance on building massing and orientation, open space, circulation, and the public realm.

11.3.5.1 Overarching Policies

i. Within a land use designation, site-specific zoning may be implemented through the Town’s Zoning By-laws in order to identify specific permissions, regulations or requirements, which may include standards such as: minimum setbacks, maximum building heights, building separation distances, minimum landscaping provisions, allocation of open space, buffering, on-site recreational or commercial uses, site access, minimum parking and loading requirements, and any other matters deemed appropriate by the Town Council.

ii. All qualifying development within the land use designations of the THSP is subject to Site Plan Control pursuant to Section 41 of the Planning Act and Section 10.4 of the Tecumseh Official Plan 2021. The Town will ensure that development and redevelopment in the THSPA is consistent with an appropriate type, scale, and character of built form.

iii. Schedule “H-10”, Land Use Map, identifies and delineates all land use designations within the THSPA. The policies pertaining to these designations are generally consistent with the Town’s Official Plan. In the case of a conflict, the policies in the THSP will prevail.

11.3.5.2 Residential

11.3.5.2.1 Goals

The Residential policies are intended to provide guidance and structure for residential development, including the introduction of varied housing forms and densities which can offer a broader range of options for living in the Hamlet. The various Residential land use designations are intended to accommodate a range of low, medium, and high-density residential development. This direction supports the THSP’s Vision and Guiding Principles, and the Town’s Official Plan, by encouraging a diversity of housing forms, tenure, and levels of affordability towards a more inclusive and complete community.

i. Ensure that new residential development occurs in a manner that is within the servicing and financial capacity of the municipality.

ii. Encourage an efficient development pattern where a full range of municipal infrastructure, community facilities, and goods and services can be provided in a cost-effective and environmentally sustainable manner.

iii. The intensification of residential lands shall be encouraged, and development standards that will help achieve this goal shall be a priority for the Town.

iv. Ensure that existing and new residential areas are walkable and, to the greatest extent possible, supportive of all modes of transportation.

The THSP identifies three distinct residential designations: Low-Density Residential, Medium-Density Residential, and High-Density Residential. These designations, as described below, are generally aligned with the Town’s Official Plan directions regarding building height, massing, and density.

11.3.5.2.2 General Policies

The General Policies are applicable across the three Residential designations and aim to ensure that new development is compatible with the planned character of the Hamlet and supports the overall vision of the Tecumseth Official Plan. In general, the Residential policies in section 4.2.2 of the Official Plan will apply to the Residential designations of the THSP, except the following which will supersede those pertaining to Additional Residential Units (ARU).

i. Garden suites shall be permitted on single detached or semi-detached dwelling lots as a temporary use and in accordance with Section 4.2.2 ix) of the Official Plan.

ii. A maximum of three dwelling units shall be permitted on a single lot where a single detached, semi-detached or townhouse use is permitted, subject to the following criteria:

a. One stand-alone ARU shall be permitted ancillary to a single detached or semi-detached dwelling unit on the same lot, subject to the provisions of section 4.2.2 viii) of the Official Plan.

b. Two ARUs shall be permitted within the principal structure for a single detached, semi-detached or townhouse dwelling, subject to the provisions in section 4.2.2 vii) of the Official Plan, where no stand-alone ARU is existing or proposed on the same lot.

c. One ARU shall be permitted within the principal structure of a single detached, semi-detached or townhouse dwelling, subject to the provisions in section 4.2.2 vii) of the Official Plan, where a stand-alone ARU is existing or proposed on the same lot.

iii. All new residential developments of greater than 10 units shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

iv. Development will be subject to the Urban Design Guidelines of the THSP, including but not limited to standards for building massing, setbacks, lot coverage, open space, and other built form criteria.

11.3.5.2.3 Low-Density Residential

The intent of the Low-Density Residential designation is to guide new development which respectfully integrates with existing residential areas, while also allowing for diversity of low-density residential typology, including a mix of lot sizes. Per General Policy 2 of subsection 11.3.5.2.2 above, ARUs are permitted and may contribute to the diversification of housing forms and options in the area.

11.3.5.2.3.4 Policies

i. Permitted uses include single detached dwellings, semi-detached dwellings, ARUs and home occupations.

ii. The maximum building height is 2.5 storeys.

iii. The maximum building density is 20 dwelling units per gross hectare.

11.3.5.2.4 Medium-Density Residential

The Medium-Density Residential designation corresponds to multi-unit residential developments of a medium density located adjacent or close to Banwell Road, Manning Road, commercial nodes, open spaces, parks, or schools. This designation allows for housing options and forms of a higher density than Low-

Density Residential areas, but which are also compatible with a low-rise character with regard to the height and mass of buildings.

11.3.5.2.4.1 Policies

i. Permitted uses include townhouses, stacked townhouses, row houses, multiple-unit dwellings, and walk-up and low-scale apartments. The following uses may also be permitted:

    a. Nursing homes, rest homes, and retirement homes.

    b. Live-work uses such as a home office or studio space, provided that:

        - The work component is ancillary to the principal residential use; and

        - The work component does not substantially alter the area's character and function, including traffic patterns and land use compatibility.

ii. The maximum building height is 4 storeys.

iii. The range of permitted densities is 20-50 dwelling units per gross hectare.

11.3.5.2.4.2 Special Policy Area

Lands designated as Medium Density Residential with a Special Policy Area Overlay are subject to a maximum building height of three storeys.

11.3.5.2.5 High-Density Residential

The High-Density Residential designation is located adjacent or in close proximity to Banwell Road, the commercial nodes on the northern and southern sides of the THSPA as well as adjacent the northerly stormwater management pond. It permits a variety of denser housing types and aims to help achieve a critical mass of population to support the commercial uses and amenities offered in these areas.

11.3.5.2.5.1 Policies

i. Permitted uses include apartment buildings, stacked townhouses, nursing homes, rest homes, and retirement homes.

ii. Live-work uses such as a home office or studio space may be permitted, provided that:

    a. The work component is ancillary to the principal residential use; and

b. They do not substantially alter the character and function of the area, including but not limited to traffic patterns and land use compatibility.

iii. The maximum building height is 6 storeys.

iv. The minimum density is 50 dwelling units per gross hectare.

v. High-density residential developments directly abutting existing single detached dwellings located on lands designated High Density Residential with a Special Policy Area Overlay must comply with a 45-degree angular plane, measured from the dividing property line, to ensure a respectful transition in perceived scale. For clarity, no portion of a High Density building shall project beyond the 45-degree angular plane. Additionally, windows and balconies may not face the single detached housing. A landscape buffer must also be provided along the shared property line to enhance separation and maintain visual harmony between the developments. If there are no existing single detached dwellings within this Special Policy Area, or if the Special Policy Area lands are subject to an approved application for High Density redevelopment, the aforementioned policy does not apply.

11.3.5.2.5.2 Special Policy Area

i. Lands designated as High Density Residential with a Special Policy Area Overlay, located northeast of the Banwell Road/Intersection Road intersection, will only be permitted for redevelopment if the lots are consolidated into a single cohesive development site. Fragmented or individual lot redevelopment which is beyond as-of-right zoning by-law permissions will not be approved.

11.3.5.3 Commercial Areas

The THSP identifies three categories of commercial designation: Anchor Commercial, Neighbourhood Commercial, and Main Street – Mixed Use. The following Goals apply generally across all commercial areas. Each of the three designations and their respective policies are described further below.

11.3.5.3.1 Goals

i. To strengthen the Town's economic base by recognizing established commercial districts and by fostering the development of viable new commercial locations within the Hamlet;

ii. To ensure that suitable sites are available to accommodate a full range of commercial goods and services to meet the needs of the surrounding neighbourhoods and broader community;

iii. To recognize that commercial areas are dynamic in nature and must be able to evolve, adapt and redevelop as market conditions, consumer needs and preferences, and retail trends change over time.

11.3.5.3.2 Anchor Commercial

The Anchor Commercial designation applies to the retail block on the east side of Banwell Road at Gouin Street, which serves as a commercial destination at the north end of the THSPA. Appropriate uses for this location will include a large-format retail store, such as a supermarket, located along Banwell Road, ensuring maximum exposure to passing vehicles. It is intended that the permitted use within this designation will complement and not detract from the smaller-scale commercial uses of the Main Street – Mixed Use designation to the south along Maisonneuve Street.

11.3.5.3.2.1 Policies

i. Permitted uses include a range of large format retail-commercial uses which typically require a larger building footprint and ground floor area as compared to uses within the Main Street – Mixed Use or Neighbourhood Commercial designations. Uses such as office or support spaces for employees are permitted, provided that they are ancillary to the principal use and contained within the same building. In addition, outdoor garden centres and retail fuel sales are permitted as ancillary uses.

ii. Additional retail uses which are complementary in nature to the larger, primary commercial use may be permitted, where it is demonstrated, to

the satisfaction of the Town, that the planned function of the Main Street Mixed Use area is not undermined.

iii. The maximum building height is 1-storey, with allowance for floor-to-ceiling height as appropriate for a grocery store or other large-scale retail use.

iv. The minimum gross floor area is 5,000 m^2 for a stand-alone large-format retail use such as a supermarket or any large-scale commercial use.

v. Landscape features will be used both within and along the edges of surface parking lots to visually buffer them from abutting streets. Development will support a comfortable pedestrian-scale and walkable environment through quality design.

vi. Publicly accessible amenities or rest areas, including outdoor seating/dining areas or landscaped spaces will be permitted subject to the provisions in the Urban Design Guidelines of the THSP.

vii. All new Anchor Commercial development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

11.3.5.3.3 Neighbourhood Commercial

The Neighbourhood Commercial designation applies to the commercial node on the north side of the Banwell Road and Shields Street intersection. The primary function of this commercial node is to serve local residents and students. It also plays an important role as a key commercial node and gateway for the southerly portion of the THSPA

11.3.5.3.3.1 Policies

i. The Neighbourhood Commercial node is intended to be complementary to the function of the Main Street and Anchor Commercial land uses and therefore shall be limited to a compact cluster around the Banwell Road and Shields Street intersection.

ii. A mix of local commercial uses are permitted including:

   a. All types of retail, office, and service commercial uses, excluding automobile related uses;

   b. Professional services, including financial service establishments and medical/health clinics;

   c. Eating establishments;

   d. Places of entertainment;

   e. Laundry and dry-cleaning services; and

   f. Other commercial businesses serving the needs of the local community.

iii. Uses permitted above the ground floor may include residential, office, and personal services. Residential uses are not permitted at ground level.

iv. The maximum building height is 2 storeys.

v. Primary building frontages and access will be oriented facing the public street to enhance pedestrian access and visibility.

vi. Large surface parking lots will not be located between a building and the public street frontages of Banwell Road and Shields Street and will avoid impacting the site's interface with the public realm.

vii. All new Neighbourhood Commercial development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

11.3.5.3.4 Main Street – Mixed Use

The Main Street – Mixed-Use designation represents the primary commercial district for the THSPA, extending along both sides of Maisonneuve Street from

east of Banwell Road. Nestled strategically between the surrounding High- and Medium-Density Residential neighbourhoods, this designation will provide a concentration of shops, services, jobs, and amenities to fulfill the day-to-day needs of the community, while also functioning as a convenient destination for residents outside the immediate area. The Main Street will have an important role as a community gathering space, fostering social interaction and commercial activity.

11.3.5.3.4.1 Goals

i. To develop as a “town centre” for the THSPA, promoting an inter-mingling of different uses and building types in a street-oriented, walkable, and fine-grain character.

ii. To enable a compact mix of uses including retail, commercial services, institutional, and a range of housing options including multi-unit buildings.

iii. To take advantage of opportunities for “cross-pollination” with the Anchor Commercial area located to the northwest on Banwell Road, which is in close proximity to the commercial Main Street.

11.3.5.3.4.2 Policies

i. Permitted commercial uses include retail, eating establishments, hotels, service, and office uses that are suitable for a main street pedestrian format and are intended to serve the surrounding neighbourhoods and broader community. For properties within the Main Street Mixed Use designation, the land use fronting the street on the ground floor shall be commercial.

ii. Complementary uses such as cultural, recreational, entertainment, institutional, community or municipal services, open space facilities, and parking lots and structures shall be permitted.

iii. Residential uses shall be required in upper-storey locations of commercial buildings.

iv. The maximum building height is 3 storeys for all uses. New automotive uses and other uses such as large format retail that interrupt pedestrian flow and are visually incompatible with the main street commercial setting are prohibited.

v. Drive-through facilities will not be permitted in the Main Street Mixed Use designation in order to protect and enhance the pedestrian environment.

vi. All new development within the Main Street – Mixed Use designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

11.3.5.4 Community Facility

The Community Facility designation applies to a range of civic and public or private sector community uses such as schools, places of worship, retirement homes and community centres.

11.3.5.4.1 Goals

i. To facilitate and support public and private sector projects and programs that will expand the range of facilities and community services that are available for use by Town residents;

ii. To encourage and support initiatives that will ensure that adequate educational facilities are available to meet the needs of existing and future Town ratepayers;

iii. To ensure that community facility uses are situated in areas of the Town which are suitable for their intended use, and minimize land use conflicts with other uses;

iv. To encourage community facilities to be co-located in community hubs to promote cost effectiveness and facilitate service integration, access to transit and active transportation; and

v. To ensure that community facilities are strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.

11.3.5.4.2 Policies

i. Permitted uses include schools, places of worship, nursing homes, rest homes, retirement homes, community centres, cemeteries, places of assembly, libraries, and other buildings and facilities used by the Town, the County and other levels of government;

ii. Wherever possible, schools should be considered and used as multipurpose facilities, and should be available for use by the surrounding neighbourhood and broader community for leisure, recreational, educational, and other community sponsored events and activities;

iii. Joint use agreements may be used by the Town to maximize the benefits associated with shared facilities and services owned by other public agencies, boards, non-profit organizations or clubs, and operated and maintained for the enjoyment and well-being of the community at large;

iv. New school sites should be located adjacent to park sites to enable a sharing or joint use of facilities and programs;

v. Wherever possible, new school sites should be located centrally within neighbourhoods or groups of neighbourhoods to promote walking and cycling;

vi. Adequate precautions shall be taken to ensure that institutional uses do not have adverse impacts on adjacent land uses;

vii. All new Institutional development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

11.3.5.5 Recreational

The Recreational designation represents a variety of publicly accessible parks and open spaces that will form the Hamlet's public space network and may range from greenways and neighbourhood parks to urban plazas and civic spaces. The policies of this section identify land uses and locations which should be prioritized for recreational/parks and open space use to achieve quality of life benefits for the Hamlet. Schedule "H-11" – Open Space Framework provides a breakdown of the open space network for lands designated Recreational.

The Recreational land use policies are to be read in conjunction with Town of Tecumseh's Strategic Master Plan for Parks and Recreation Services, which provides more detailed direction regarding park typologies and use to ensure a coherent open space framework. The Master Plan provides the community with a long-range planning document that helps guide investment in the Town's parks, recreation, trails, and sports system.

11.3.5.5.1 Goals

i. To ensure an adequate supply of parks, open space, and recreational facilities to meet the needs of residents;

ii. To ensure that recreational uses are suitably located to maximize their accessibility to area residents and minimize their conflicts with other uses;

iii. To create a continuous open space system, connecting various parks, residential neighbourhoods, commercial areas, employment areas and natural heritage with each other;

iv. To cooperate with local school boards, ratepayer groups, and local school councils to maximize the use of school and Town properties for recreational and educational purposes; and

v. To work with local service clubs, interested groups and agencies to acquire, develop and maintain the park and open space areas in keeping with evolving community needs.

11.3.5.5.2 Policies

i. The permitted uses shall generally include outdoor public recreational uses such as parks, playgrounds and sports fields or facilities. Wherever possible, recreational uses serving the community at large should be part of a multi-use, larger, more visible, and adaptable facility, and/or site.

ii. The acquisition of new parkland shall be in accordance with the location and distribution of Recreational uses on Schedule “H-11”.

iii. McAuliffe Park will be expanded to the west, along the south side of Shields Street, by primarily adding active recreational space. The expanded park will provide a range of uses and elements including soft and hard landscaping, a children’s playground, youth play facilities, public art, and other features such as water that can be enjoyed by all. The park should also be linked to the existing school farther west via an enhanced streetscape along Shields Street.

iv. A new park will be located on the south side of Maisonneuve Street within the Main Street – Mixed-Use area. This park will be designed to function as the main civic recreational space for the community, enhancing the adjacent commercial activities. The design will also incorporate direct access and high visibility from the street, fostering a seamless integration with the surrounding urban fabric, including restaurants, cafes, and market venues.

v. The Hydro Right-of-Way utility corridor, shown on Schedules , “H-10”, and “H-11” of the Town’s Official Plan, should be considered as a location for recreational uses such as walking, cycling and other activities. The permitted uses within these areas shall include public and private recreational uses and other compatible secondary uses as approved by Hydro One Networks Inc.

vi. All development in the Recreational designation shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.

11.3.5.6 Stormwater Management Ponds

Stormwater Management Ponds (“SWMP”) are designated in locations across the THSPA, as identified on Schedule “H-10”. SWMPs are essential infrastructure for newly developed or intensifying areas, as they manage the quantity and quality of stormwater runoff in urban areas with higher proportions of non-permeable surface. The locations of the SWMPs have been determined through various Municipal Class Environmental Assessment processes and generally align with replacement of existing municipal drains and aim to provide and/or maintain drainage swales/drains, overland flow routes, connections to natural heritage features or open spaces. In addition to the stormwater management function, these ponds can enhance the quality and interest of the public realm, creating opportunities to weave in elements of landscape and infrastructure.

11.3.5.6.1 Goals

i. Maximize connectivity and public use of SWMPs by co-locating near parks and natural areas to create a network of open spaces that offer multiple community benefits, including recreation, wildlife movement, and educational opportunities.

ii. Integrate SWMPs into the urban fabric, ensuring they complement new developments and streetscapes.

iii. Design SWMPs to be accessible for all ages and abilities, and to provide amenities such as seating and shade.

iv. Enhance the aesthetic and recreational value of SWMP areas through native vegetation, public art, and water features.

v. Designate areas necessary to accommodate proposed stormwater infrastructure including, but now limited to, ponds, storm pump stations and equipment, power generators, maintenance corridors, overland flow routes, swales, storm sewers, and/or force mains.

11.3.5.6.2 Policies

i. SWMPs will be designed to improve natural heritage and wildlife habitat and does not degrade existing conditions. A buffer is recommended between areas designated Natural Environment and proposed SWMPs.

ii. Grading of SWMPs will be designed to direct wildlife into natural areas and corridors, away from roads and high-traffic areas.

iii. Grading of SWMPs will be designed to prevent natural corridors, wildlife crossings and eco-passages from becoming “prey funnels” for predators.

iv. SWMP’s will be constructed via a phased approach which follows construction of development areas per the Land Use Plan.

v. SWMPs will require regular maintenance to ensure that they function effectively and remain visually appealing. Maintenance activities should minimize impacts on the surrounding environment and should be coordinated with other open space management activities.

11.3.5.7 Major Infrastructure Corridors

Major Infrastructure Corridors designation applies to locations that require a corridor for major underground municipal infrastructure, including, but not limited to, watermain, sanitary trunk sewer and/or stormwater infrastructure. The locations and widths of the Major Infrastructure Corridor Overlays identified on Schedule “H-12” are based on the Environmental Study Report and the Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report.

11.3.5.7.1 Policies

i. The corridors shall have a minimum width of 12-metres to accommodate water main, sanitary trunk sewer and/or stormwater infrastructure construction and their future maintenance. Where warranted, the proposed easement widths will be greater than 12 metres.

ii. Any portion of the Major Infrastructure Corridor Overlay located on privately-owned lands shall be conveyed to the municipality.

iii. The corridors will also accommodate future at-grade pedestrian, cycling and/or multi-use path connections to improve circulation and access to open space, including to the hydro corridor lands south of the CP rail line.

iv. The width required for public easements under and across the hydro corridor and CP Rail lands is subject to confirmation by both Hydro One Networks Inc. and CP Rail.

v. Exact location and required width of the Major Infrastructure Corridor will be determined through detailed design.

11.3.5.8 Natural Environment

The Natural Environment designation comprises the most significant natural heritage features within the THSPA. Such features are referred to as 'high priority', subject to Section 4.9.3 of the Town's Official Plan. The following policies shall apply to the lands designated Natural Environment on the Land Use Plan, Schedule "H-10".

11.3.5.8.1 Policies

i. Development and site alteration is not permitted on lands designated Natural Environment.

ii. Permitted uses shall be limited to passive recreational uses and activities that create or maintain infrastructure authorized under an environmental assessment process or work subject to the Drainage Act.

11.3.5.9 Natural Environment Overlay

The Natural Environment Overlay captures the secondary priority natural heritage features subject to Section 4.9.4 of the Town's Official Plan. The following policies shall apply to the lands designated Natural Environment Overlay on the Land Use Plan, Schedule "H-10".

11.3.5.9.1 Policies

i. Development and site alteration is not permitted on lands within the Natural Environment Overlay unless it has been demonstrated to the satisfaction of the approval authority and/or the Town, in consultation with

provincial and federal agencies, that there will be no negative impacts on the natural features or their ecological functions.

ii. Prior to the consideration of any Planning Act application, an environmental impact assessment shall be completed in accordance with the Environmental Impact Assessment Guidelines published by the County of Essex and endorsed by the Town as updated from time to time.

iii. Permitted uses on lands within the Natural Environment Overlay shall be in accordance with the underlying land use designation.

iv. Activities that preserve and enhance the features contained with the Natural Environment Overlay, such as tree preservation, tree planting, and establishing and improving linkages, are encouraged.

11.3.5.10 Natural Environment Buffer

The Natural Environment Buffer Zone around McAuliffe Woods, as shown on the Land Use Plan, Schedule “H-10”, is intended to provide a 15-metre protective barrier from the woodland dripline to safeguard and enhance the ecological integrity of the area. The limits of the buffer zone and other natural features, such as the extent of wetland vegetation, should be reviewed and approved on-site through formal staking exercises. These exercises are to be conducted in partnership with the Town.

11.3.5.10.1 Policies

i. The Environmental Buffer shall comprise:

a. Tree Plantings: landscaped strip and tree planting will be established to support local biodiversity and provide a natural barrier.

b. Multi-use Pathway: A pathway for non-motorized recreational activities will be integrated, designed to complement the surrounding natural environment.

c. Drainage Feature/Swale: A drainage feature or swale will be implemented for stormwater management, subject to a comprehensive study approved by the Town

11.3.6 Urban Design Guidelines

11.3.6.1 Objectives

The Urban Design Guidelines aim to achieve a high-quality built form and public realm environment for the THSPA. However, they also provide flexibility to achieve a healthy range of design expression and variation, which will contribute to creating a unique sense of place. They provide the framework to guide built form, open space, and movement towards achieving the THSP Vision and

Objectives.

11.3.6.2 Built Form Framework

11.3.6.2.1 Objectives

i. The Built Form Guidelines of this plan define the desired future character and function of the built environment, including height and massing, building orientation and placement, frontages, entrances, and transitions as well as private amenity spaces. The intent is to reinforce a coherent, harmonious, and appealing urban environment that enhances the public realm.

11.3.6.2.2 Building Orientation and Placement

i. Locate and orient buildings to establish and enhance view corridors and maximize views over natural features such as McAuliffe Woodlot, SWMPs, and parks.

ii. Orient buildings to front onto and frame street edges, open spaces, and pedestrian pathways, with generous entrances and glazing to provide transparency from interior to exterior.

iii. Avoid back-lotting along Banwell Road and orient the primary facades and entrances toward Banwell Road.

iv. Orient buildings to maximize sunlight in public spaces, including streets, parks, open spaces, and recreational areas, especially during spring and fall seasons.

v. Ensure a minimum 3-meter front yard setback for *High-Density Residential* buildings to ensure transition from public to private spaces.

vi. The side yard setback for a *High-Density Residential* building should be a minimum of 3 metres to encourage a porous connection between the front and rear yards of new development.

vii. The rear yard setback for a *High-Density Residential* building should be a minimum of 7.5 metres to protect for appropriate rear yard transition when directly abutting *Medium-Density* or *Low-Density* residential designation.

viii. Provide transition from *High-Density and Medium-Density Residential to Low-Density Residential* Areas through setbacks, step-backs, and landscaped buffers.

11.3.6.2.3 Frontages, entrances, and facades

i. Provide a continuous street wall within the Main-Street Mixed-Use designation. A continuous street wall, with animated uses along the full

length of the property and street, is essential to create a well-defined and welcoming pedestrian environment.

ii. Avoid creating "blank" walls (without any entrances or windows) facing any adjacent street, trail, or open space when constructing buildings. Ensure that building facades are well articulated at ground level and incorporate high-quality materials. In cases where large blank walls cannot be avoided (e.g., back-of-house, loading, and servicing areas), consider screening or using them as canvases for public art.

iii. Enhance the ground floor frontage of mixed-use commercial buildings with a generous amount of glazing, typically comprising a minimum of 70% of the facade surface. This promotes a transparent visual connection between indoor commercial spaces and the street. For upper levels (second and above), approximately 50% glazing should be provided.

iv. For corner buildings, create a double frontage addressing both adjacent streets. Encourage the incorporation of architectural features and articulation in all corner building locations, including residential structures, to enhance visual prominence, define the area's identity, and establish gateway moments.

11.3.6.2.4 Height, Scale, Massing

i. Ground floor heights for commercial units should be a minimum of 4 metres, floor to floor.

ii. Encourage architectural diversity while maintaining a cohesive aesthetic.

iii. Design the massing of new development to be harmonious with the character of the existing block. The scale of buildings adjacent to existing residential neighbourhoods should respect the adjacent building's scale by providing a proper transition in heights.

iv. Encourage a fine grain within the Main Street Mixed-Use designation. Design commercial units and storefronts to enhance the active public realm, maintaining a generally consistent width of 10 – 20 meters with regular entrances. Additional limits on the width and size of commercial units may be defined in the Zoning By-law.

v. Limit the length of apartment buildings and townhouses to facilitate mid-block connections and prevent monotonous building frontages. Apartment buildings should not exceed a length of 60 meters, while townhouses should be no longer than 40 meters.

vi. Organize the built form to create neighbourhoods that have unique but complementary character.

11.3.6.2.5 Ground Level Uses

i. Establish clearly defined primary entry points that open onto the street for all buildings, and for mixed-use commercial buildings, ensure direct access to a public sidewalk. Within the Main Street Mixed Use designation, provide identifiable entrances for each ground-floor retail unit along the main street, accessible directly from the public sidewalk.

ii. Place commercial uses on the ground floor of Main Street Mixed-Use buildings and position identifiable entrances facing the street.

iii. Align entrances to commercial buildings flush with the public sidewalk.

iv. Emphasize a prominent street-level presence for all ground-level uses, including residential.

v. Incorporate weather protection features to create a comfortable public realm. Weather protection features should be integrated into the design in a form consistent with the architectural style.

11.3.6.2.6 Priority Lots

i. Priority lots include those within Gateway Features (as shown on Schedule “H-2”), corner lots and highly visible lots that provide a visual terminus to the street. Their visual significance within the streetscape requires that the siting and architectural design of the dwelling be of an exemplary quality, requiring special design consideration to ensure that an attractive built form is achieved, appropriate to its location.

ii. Incorporate special building features and massing designs, including taller architectural treatments, to emphasize the visual prominence of the site, enhancing the uniqueness and landmark status of buildings on corner or visual terminus sites.

iii. Orient developments on corner sites to both street frontages and design them with two facades of equal architectural significance.

11.3.6.2.7 Parking and Servicing

i. Where feasible, consider below-grade parking for high-density development.

ii. Where below-grade parking is not possible, prioritize opportunities for structured parking facilities. Front any existing and new structured parking facility with animated uses, public art, and planting.

iii. Where below-grade parking is not possible and surface parking is proposed, design with the full build-out scenario of the property in mind for when below-grade parking becomes feasible and treat surface parking as an interim solution.

iv. Screen surface parking area from the public realm and away from the street frontage. Place surface parking and servicing for new developments at the rear of buildings and accessed by a rear or side yard lane.

v. Where surface parking or service areas are exposed, they should be a generous separation from the public realm and designed to include enhanced landscaping above and beyond the streetscape such as an additional row of trees or buffered with landscaping such as hedges or shrub planting and/or other mitigating design measures. Clearly mark pedestrian access and paths and provide adequate lighting in surface parking areas.

vi. Any structured parking facility, the structure should be integrated into the built form such that it is integrated within the design articulation and façade treatment of the building.

vii. For single unit dwellings, semi-detached dwellings, and ground-oriented townhomes, if access to parking is in the front, the parking garage should not be the most predominant feature of the dwelling. It should be set back from the front wall and be incorporated into the architectural features of the dwelling.

11.3.6.2.8 Landscaping and Common Outdoor Amenity Space

i. In High-Density Residential developments, common outdoor amenity areas are encouraged. Consider clustering complementary elements like a common mailbox or bicycle parking near common outdoor amenity areas. This will help create a sense of community and make it easy for people to access the amenities they need.

ii. Consider thermal comfort through the orientation, location, and landscaping of outdoor amenity areas; provide a balance of sun, shade, and protection from wind.

iii. Locate outdoor amenity areas away from building servicing, parking, and loading functions. If this is not possible, servicing areas should be heavily screened with a landscape buffer and a fence.

iv. For commercial areas, all portions of a lot not occupied by a building or structure or used for off-street parking or off-street loading must be landscaped and maintained.

11.3.6.3 Open Space Framework

11.3.6.3.1 Objectives

i. The THSPA's open space network includes parks, multi- use trail corridors, stormwater ponds, and green streets as identified on Schedule "H-11" – Open Space Framework.

ii. Provide a range of park types, recreation facilities, and open spaces in the THSPA and their equitable distribution across the community to ensure access to a diversity of recreation opportunities within walking distance to surrounding neighbourhoods.

iii. Identify and secure active transportation connections between new and existing parkland and open space areas and new and existing neighbourhoods via a complete trails network, including pedestrian and bike trails and enhanced streetscapes, to be implemented during the development approval process.

11.3.6.3.2 Parks

i. The Open Space Framework is shown on Schedule “H-11”. The objective of the Framework is to ensure that people living and working in the THSPA have access to public parks and a range of passive and active recreational opportunities and experiences. The proposed parks have been located in a manner to:

   a. form a connected network of parks and open spaces in association with the Public Realm Moves; and

   b. balance demand within different parts of the THSPA.

ii. Provide active and passive elements within all parks, as appropriate, to meet the recreation needs of all ages and interests and create opportunities for year-round activities.

iii. Ensure parks are designed and programmed in accordance with the Town of Tecumseh Parks Master Plan 2010 and Town of Tecumseh Parks Masterplan Review (2021).

iv. Prioritize native trees and plant species, and low-water and biodiverse landscapes.

v. Design the parks with enough flexibility to accommodate special or additional programming, such as community gatherings, and special events.

vi. Provide high visibility all around with clear views in and throughout the parks.

vii. Provide adequate lighting and signage for ease of use, wayfinding, and access.

viii. Provide new pathways and trails through the parks to encourage walkability, and to connect to new development areas and trails proposed in the THSPA.

ix. Create a pedestrian priority zone for the extent of Shields Street that runs through McAuliffe Park. Provide enhanced paving, streetscape, and gateway elements within this zone to integrate the roadway within a park context, reduce the amount of asphalt, and mitigate the speed of vehicular traffic through the park.

x. Create a gateway feature at the east entrance of Shields Street where the park begins.

xi. Promote consultation, partnerships, and collaboration with Indigenous communities will be encouraged in the planning, design, and development of new, expanded, or improved parks. This may include the celebration and recognition of Indigenous culture and history, along with cultural and natural heritage, through placemaking, naming, wayfinding, monuments, interpretive features, public art, partnerships, and programming.

11.3.6.3.3 Green Streets

i. Green Streets are identified on Schedule “H-11” and have enhanced streetscape and landscape treatments and function as key connectors to parks and open spaces. These streets are an important wayfinding component of the open space network and contribute to defining a unique and distinct character of place. The urban design guidelines outlined in in Section 11.3.6.4 - Movement Framework provide further detail regarding the roadway design, space allocation for elements within the public right-of-way such as lanes, boulevard width, landscaping and planting zones, street furniture zones, and other elements.

ii. Provide enhanced landscape treatments along Green Streets such as a double row of trees and attractive landscaping with directional and lane markings, signage and wayfinding, and pedestrian scaled lighting.

11.3.6.3.4 Stormwater Management Ponds (SWMPs)

i. Design SWMPs to be connected to existing parks, trails, and greenways, creating a network of open spaces that provide multiple benefits to the community.

ii. Integrate SWMPs into the surrounding urban fabric, ensuring that they fit into the context of the area and complement nearby buildings and streetscapes.

iii. Design SWMPs to provide multiple functions beyond stormwater management, such as recreational opportunities, public art, wildlife habitat, and educational opportunities.

iv. Stormwater management ponds should be designed with safe and convenient access for pedestrians and cyclists, and should include seating, shade, and other amenities to encourage public use.

v. Design SWMPs to be visually appealing and to enhance the surrounding environment. This may include the use of native vegetation, water features, public art, and other design elements.

vi. Consider safety in SWMP design and incorporate landscape features, signage, and other measures to protect the public from hazards such as steep slopes and deep water.

11.3.6.3.5 Hydro Corridor

i. Maximize the potential of the Hydro Corridor as a valuable trail resource and a means to establish a vital east-west connection across the THSPA, linking development along Manning Road in the east to Windsor in the west, and facilitating connectivity between the most easterly neighborhood and the central portion of the THSPA.

ii. With technical review and approval from Hydro One Networks Inc., explore opportunities to create an uninterrupted, paved pathway within the hydro corridor, complete with clear directional markings, signage, and wayfinding elements. Incorporate pedestrian-scaled lighting to ensure safety and usability. Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of a hydro corridor is for electricity generation facilities and transmission and distribution systems, and that secondary uses require technical approval from Hydro One Networks Inc.

11.3.6.4 Movement Framework

11.3.6.4.1 Objectives

i. The Movement Framework establishes a transportation system that accommodates vehicular traffic, cyclists, and pedestrians while also laying the foundation for future public transit options. The Movement Framework creates a clear street hierarchy and network, along with design standards for different street types. The framework aims to provide a coherent, safe, and balanced pedestrian-oriented movement system that supports various modes of transportation in the THSPA.

ii. The purpose of the THSP is to:

a. Integrate transportation and land use decisions to promote the growth of the THSPA as a compact and self-sufficient community.

b. Improve the connectivity of the transportation network within the THSPA for both motorized and non-motorized modes of transportation.

c. Implement transportation demand management strategies to shape travel behaviors and reduce reliance on automobiles.

d. Foster active transportation by ensuring safe and accessible pathways, human-scale urban environments, pedestrian-friendly streetscapes, amenities, and a network of interconnected destinations.

e. Acknowledge the connection between active transportation and a healthy community.

iii. As the THSPA builds out, a shift from vehicular dependency to other modes of transportation will also incrementally change the THSPA parking profile from surface lots to structured or below-grade facilities.

11.3.6.4.2 Road Network

i. The THSP defines a block pattern and street network that encourages integration and accessibility of all land uses through various modes of transportation.

ii. The block pattern provides a system of connected streets and linkages, with short blocks to maximize circulation throughout the THSPA. Long blocks are broken by mid pedestrian passageways that typically connect to adjacent open spaces.

iii. Provide continuous street tree planting to provide an attractive, pedestrian friendly street environment and to contribute to the overall Hamlet tree canopy.

11.3.6.4.3 Vehicular Circulation

i. Provide an integrated and connected street network with high-quality streetscapes, generous sidewalks, and quality landscaping and furnishings along all vehicular routes.

ii. Design new streets to reduce conflict between the various modes of movement.

iii. Pursue traffic-calming measures and other right-of-way design approaches that prioritize pedestrian and cyclist safety**.** Measures may include enhanced pedestrian crosswalks, reduced intersections, on-street parking, and landscaping.

iv. Include electric vehicle charging infrastructure in new parking areas, while expanding the number of charging stations in existing lots.

v. Provide service access through secondary streets, where feasible.

11.3.6.4.4 Pedestrian Circulation

i. The pedestrian circulation is identified on Schedule “H-13” and includes sidewalks, trails, midblock connections, and other pedestrian infrastructure that will connect seamlessly to the rest of the Town’s pedestrian network, as well as to adjacent communities’ pedestrian networks.

ii. Provide an intuitive, universally accessible network of paths connecting internal and external streets, gateways, building entrances, and open spaces across the THSPA.

iii. Provide pedestrian facilities, comprising sidewalks or pathways, on both sides of all public streets within the THSPA as recommended in street cross sections shown on Schedules “H-5” to “H-9.

iv. Design sidewalks as safe, attractive, and interesting public spaces, wide enough to accommodate a large number of users, and supplemented with seating and hardscaped areas.

v. Ensure sidewalks provide direct, convenient, and universally accessible connections to all building entrances, public open spaces, transit stops, parking and pick-up/drop-off areas, and other important destinations.

vi. Design pedestrian areas to minimize vehicular-pedestrian conflicts, including minimizing the need for curb cuts.

vii. Include pedestrian and bicycle access plans in design submissions for all new development projects.

viii. Provide clear wayfinding and signage for pedestrians and cyclists.

ix. Use special paving treatments, signage, and signalization for safe crossing at key intersections.

x. Provide mid-block pedestrian connections that are wide enough to accommodate cyclists and pedestrians, well-lit and naturally surveilled from adjacent buildings, as shown on Schedule “H-13”.

11.3.6.4.5 Cycling Circulation

i. The Cycling Network is identified on Schedule “H-14” and includes on- and off-road routes as well as routes identified as part of the County Wide Active Transportation plan.

ii. Cycling is encouraged to stimulate a shift from vehicular use to alternative modes of transportation. The Movement Framework recommends connecting the existing and proposed bike circulation systems to the THSPA.

iii. Design for safe bike circulation by providing clear signage and sightlines throughout the cycling network.

iv. Provide sufficient bike parking and secure storage areas along cycling routes, and in designated areas.

v. Provide bike storage areas that are safe, accessible, and secure for all users. Locate bike storage and parking in areas that are sheltered, well lit, and visible to passersby.

11.3.6.4.6 Transit Circulation

i. In addition to the planned routes as identified in the Transportation Master Plan, the THSP identifies potential future expansion of public transit to support the increased density, as illustrated on Schedule “H-15”.

11.3.6.4.7 Shields Street Special Design

i. Shields Street is planned to provide a key linkage between Lesperance Road, Banwell Road, and westerly to Windsor, and provides direct access to McAuliffe Park.

ii. A segment of Shields Streets shown on Schedule H-4 is identified for a 23-metre ROW Special Design and is envisioned as a green scenic drive with a two lane traffic lane to allow for an enhanced streetscape, a central landscaped boulevard, a double row of trees on either side of the street, generous sidewalks, pedestrian scaled lighting, and enhanced paving treatments at key intersections. The recommended cross section is illustrated on Schedule “H-9”.

iii. Implement traffic calming and pedestrian safety measures throughout the Shields Street Special Design as shown on Schedule “H-9” including:

a. Provide enhanced pavement material for the vehicular lanes throughout the character road. Pavement materials with contrasting colors or textures can provide visual cues to drivers that they are entering a different type of road or area. This change in the road surface can signal to drivers that they need to reduce their speed and exercise caution.

b. Provide a landscaped traffic island to physically restrict the path of vehicles and provide a refuge for pedestrians that are crossing.

c. Limit pedestrian crossing to designated crossings by incorporating a continuous raised seating wall along the pedestrian sidewalk that physically separates pedestrians from vehicles except for crossing points.

d. Provide raised crosswalks to slow down traffic as vehicles approach pedestrian crossings.

e. Ensure the street is well-lit, especially during the evenings. Proper lighting enhances visibility and reduces the risk of accidents, while also promoting a sense of security for park users.

f. Tree planting within the median boulevard should consider the need to maintain clear sightlines to pedestrian crossing areas. As such, rows of trees in the median should be terminated before reaching the pedestrian crossing to ensure unobstructed visibility.

11.3.7 Municipal Services

11.3.7.1 Municipal Water and Wastewater Services

i. All new development in the THSPA shall be connected to the municipal wastewater and water systems. These services shall be designed in accordance with the Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report and the Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report.

11.3.7.2 Municipal Stormwater Management Services

i. All new development in the THSPA shall be connected to the municipal storm drainage system, which shall include connections to regional stormwater management facilities. The storm drainage system and regional stormwater management facilities shall be designed in accordance with the Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report and the Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report.

11.3.7.3 Transportation Services

i. All new development in the THSPA shall provide transportation infrastructure in general accordance with Schedules “H-3” to “H-9”, inclusive, and in accordance with Schedules “H-13” and “H-14”. The transportation infrastructure shall be designed in accordance with the Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report and the Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report.

ii. The THSP identifies potential future expansion of public transit to support the increased density, as illustrated on Schedule “H-15”, which is in addition to the planned routes as identified in the Transportation Master Plan.

iii. The Town’s cost of providing services to facilitate the development of lands shall be borne by such development in accordance with all applicable legislation.

Part C: Implementation

11.3.8 Making It Happen

11.3.8.1 General Guidance

Further to Section 10 of the Official Plan, the following additional policies are applicable to all development in the THSPA.

11.3.8.2 Municipal Class Environmental Assessment (EA) Process

The Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report was undertaken by the Town as a Schedule C Municipal Class Environmental Assessment. This Report documents the planning and design process leading to the selection of the preferred municipal infrastructure servicing strategy to facilitate development in the THSPA. This Report builds on previously completed Master Plans that have identified regional municipal servicing projects and have completed Phase 1 and Phase 2 of the Municipal Class Environmental Assessment process. This Report and the THSP were completed concurrently to ensure that development proceeds in an orderly manner, considering infrastructure capacity constraints and site-specific needs.

The purpose of the Report is to provide a coordinated and sustainable approach to providing municipal infrastructure in support of development growth. In summary, the Report establishes the location and capacity of collector roads, storm, and sanitary sewers, watermains, how stormwater will be managed within the THSPA, and cross-section details for various roads. This Report provides the basis for ensuring that these infrastructure facilities are planned and designed to avoid impacts on significant natural heritage, water and cultural resources and minimize other environmental impacts.

11.3.8.3 Development Phasing

i. Development in the THSPA shall proceed in multiple phases that will be consistent with the estimated delivery of water and wastewater servicing infrastructure, which is proposed to generally proceed from north to south. As development occurs within the THSPA, recommended municipal infrastructure will need to be implemented in stages in accordance with the Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report, Section 9.2, Construction Phasing.

ii. It is the intent of the THSP that the sequencing of growth is controlled to ensure that within each phase:

    a. The staging of development occurs in a manner that supports timing and availability of planned, water, wastewater and storm drainage infrastructure in accordance with the Tecumseh Water and

Wastewater Master Plan, the Development Charges Background Study, the Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report and the Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report;

b. Services and required infrastructure are provided in a fiscally responsible manner consistent with the objective of the THSP, in accordance with all applicable legislation and which does not impose a financial burden on the Town beyond that planned for and approved by Council;

c. The progression of development will follow a logical sequence generally north to south and shall be staged to ensure the creation of complete neighbourhoods, minimizing the extent to which future residents are exposed to construction;

d. There is an appropriate range and mix of housing types; and

e. Development proceeds in a manner that is supportive of transit services.

iii. Prior to the approval of any development applications, the Town must be satisfied that municipal water, wastewater, and stormwater services, including connection to a regional stormwater management facility, are extended to the lands in the subject phase and adequate local water and wastewater servicing capacity has been confirmed by the Town.

iv. Notwithstanding the foregoing, public infrastructure, such as roads, parks, schools, and servicing facilities, undertaken by a public authority, may proceed at any time, subject to the availability of servicing infrastructure and other municipal requirements as determined by the Town.

v. Prior to draft approval of each plan of subdivision, all requirements of the Town shall be satisfied, and confirmation shall be received from utility providers and school boards that appropriate services and facilities can be accommodated.

vi. All new urban development in the THSPA shall be connected to the municipal water, wastewater, and stormwater systems. Further, applications for development in the THSPA shall only be approved by Council, and development shall only proceed when:

a. Council is satisfied that the landowners within each of the stormwater catchment areas, as identified in the Tecumseh Hamlet Infrastructure Improvements Class Environmental Assessment: Environmental Study Report and the Tecumseh Hamlet Secondary Plan Area: Functional Servicing Report, have entered into any agreement(s), as the Town may be permitted to require, for the

provision of funds or the provision of service or both, and that as part of any agreement, provisions have been made to the satisfaction of Council for any funds or services which may be required of any future landowners in the future in order for the development of the THSP to proceed as planned. Such agreements shall be registered on the title of the lands affected. The Town may facilitate cost recovery from other benefitting developments through various means available by way of legislation;

b. Landowners within the THSP have, where necessary, entered into a private cost-sharing agreement(s) amongst themselves to address the distribution of costs of development for the provision of matters such as infrastructure facilities;

c. Landowners within the THSP have, where necessary, entered into a parks agreement with the Town to facilitate dedication to the Town of parkland, as identified on Schedule “H-11” and any required cost sharing between landowners;

d. A detailed servicing plan for the individual plans of subdivision has been completed to the satisfaction of the Town;

e. To facilitate the development of an effective local road network the Town may require multiple landowners in the THSPA to enter into an agreement or agreements amongst themselves or with the Town to address matters including, but not limited to, the provision of key roads to access the arterial road network and to allow development to proceed in an orderly manner; and,

f. Any additional requirements of the Town are satisfied.

11.3.8.4 Zoning By-laws

The THSP shall be implemented by an appropriate amendment(s) to the Town’s Comprehensive Zoning By-law in accordance with the policies of the THSP and the Official Plan.”

Lake St. Clair

City of Windsor

Municipality of Lakeshore

Town of LaSalle

Legend

- Settlement Area
- Employment Node
- Commercial Node
- Community Node
- Future Regional Mega-Hospital
- Neighbouring Employment Node
- Neighbouring Commercial Node
- Residential Neighbourhoods
- Agricultural/Natural Areas
- Natural Linkages
- Human Made Linkages
- Potential Human Made Linkages
- Municipal Boundary
- Provincial Road
- Main Road Corridors
- Railways
- Future Lauzon Parkway Extension

SCHEDULE "A"
Town of Tecumseh Official Plan
Community Structure Plan

N

Prepared By:
Tecumseh Development Services

0 1 2
Kilometres

Lake St. Clair

Former Town of Tecumseh

Former Village of St. Clair Beach

SEE SCHEDULE "B-1"

Former Tecumseh Hamlet

43

42

City of Windsor

19

Municipality of Lakeshore

401

46

SEE SCHEDULE "B-2" Oldcastle Hamlet

17

3

SEE SCHEDULE "B-3" Maidstone Hamlet

34

Town of LaSalle

9

11

8

Town of Amherstburg

Town of Essex

Legend

- Settlement Area Boundary
- Natural Environment
- Highway Service Centre
- Agricultural

SCHEDULE "B"

Town of Tecumseh Official Plan

Land Use Plan

N

0 0.5 1 2

Kilometres

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Municipality of Lakeshore

LITTLE RIVER BLVD.

MANNING RD.

RIVERSIDE DR.

LESPERANCE RD.

ST. GREGORY'S RD.

TECUMSEH RD.

22

19

43

42

INTERSECTION RD.

Legend

- Settlement Area Boundary
- Residential
- General Commercial
- Main Street Mixed Use
- Community Facility
- Business Park
- Recreational
- Natural Environment
- Natural Environment Overlay
- Hydro Right-of-Way
- Tecumseh Hamlet Secondary Plan Area *(Refer to Section 11.3 and Schedules H-1 to H-15 of Official Plan)*
- Former Landfill Site
- Special Policy Boundary *(Refer to Section 4.3.3 v) and and Schedule I of Official Plan)*

0 250 500 1,000
Metres

N

SCHEDULE "B-1"
Town of Tecumseh Official Plan
Tecumseh North Settlement Area Land Use Plan

Prepared By:
Tecumseh Development Services

City of Windsor

401

46

11

3

9

Policy 4.5.3 i)

Policy 4.5.3 ii)

Policy 4.5.3 iii)

Policy 4.5.3 iv)

Policy 4.3.3 vi)

Policy 4.5.3 v)

Policy 4.2.3 iv)

Policy 4.2.3 iv)

Policy 4.2.3 iii)

Legend

- Settlement Area Boundary
- Residential
- General Commercial
- Community Facility
- Business Park
- Recreational
- Natural Environment
- Natural Environment Overlay
- Ministry of Transportation Lands
- Former Landfill Site
- Lands Subject to Special Policy *(refer to noted Policy Section)*

N

0 250 500 1,000

Metres

SCHEDULE "B-2"

Town of Tecumseh Official Plan

Oldcastle Hamlet Settlement Area

Land Use Plan

Prepared By:
Tecumseh Development Services



Legend

- Settlement Area Boundary
- Maidstone Hamlet Residential
- Maidstone Hamlet Residential 30.48 metre Frontage Lots
- General Commercial
- Community Facility
- Recreational
- 100' Pike Creek Corridor & Floodway
- Stormwater Management Areas
- Hydro Right-of-Way
- Hydro Towers
- Multipurpose Trail
- Conceptual Road Pattern
- Conceptual Road Closure
- –GAS– Gas Line

SCHEDULE "B-3"
Town of Tecumseh Official Plan
Maidstone Hamlet Settlement Area Land Use Plan

N

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Municipality of Lakeshore

Town of LaSalle

43
42
19
401
46
17
3
34
9
11
8

Legend

- Settlement Area Boundary
- Natural Environment
- Natural Environment Overlay
- Restoration Opportunities Overlay

SCHEDULE "C"
Town of Tecumseh Official Plan
Natural Heritage System

N

0 0.5 1 2
Kilometres

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Municipality of Lakeshore

Town of LaSalle

43
42
19
401
46
17
3
34
9
11
8

Legend

- Settlement Area Boundary
- Lake St. Clair Flood Prone Area
- Inland Floodplain Development Control Area (FDCA)
- Limit of Regulated Area (LORA)

0.5 1 2
Kilometres

N

SCHEDULE "D"
Town of Tecumseh Official Plan
Natural Hazards

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Municipality of Lakeshore

Town of LaSalle

Town of Amherstburg

Town of Essex

22

19

43

42

46

17

401

3

34

9

11

8

SCHEDULE "E-1"
Town of Tecumseh Official Plan
Road Classification

Legend

- Provincial Highway
- County Road
- City of Windsor Road
- Arterial (Minor)
- Commercial Main Street
- Collector/Freeway Ramp
- Collector (Urban)
- Collector (Rural)
- Local Road

0 1 2
Kilometers

N

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Municipality of Lakeshore

Town of LaSalle

Town of Amherstburg

Town of Essex

22

19

43

42

401

46

17

19

3

34

9

11

8

Legend

- Tecumseh Off-Road
- Tecumseh On-Road (Dedicated)
- Tecumseh On-Road (Shared)
- Tecumseh On or Off Road
- Tecumseh On and Off Road
- Proposed Lauzon Parkway Route
- Herb Grey Parkway Route
- CWATS and Tecumseh On and Off Road
- CWATS On-Road Route
- CWATS Off-Road Route
- CWATS On and Off Road Route
- ERCA Routes
- Proposed ERCA Routes

SCHEDULE "E-2"

Town of Tecumseh Official Plan

Active Transportation Network

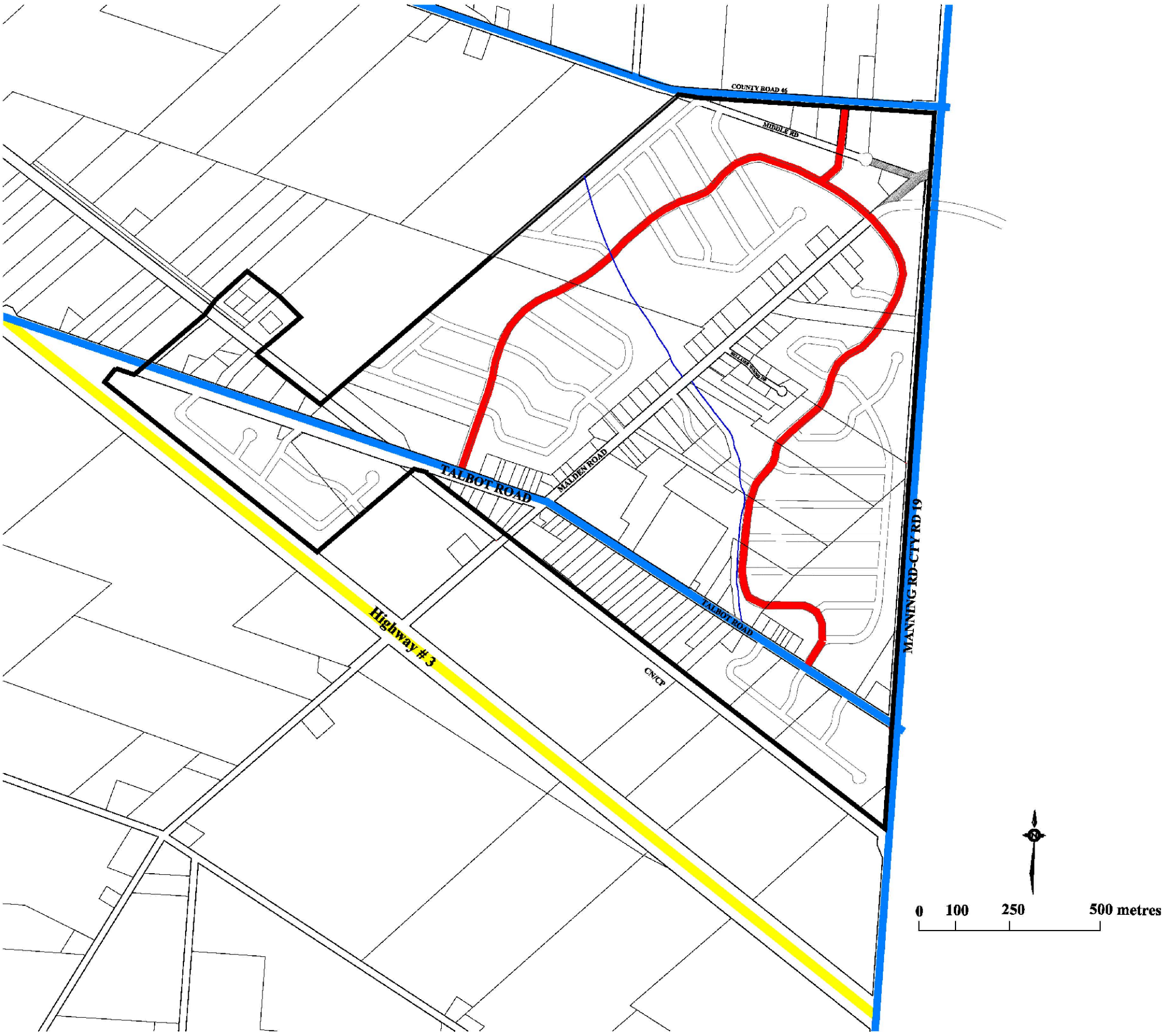
(Note: See Schedule B-3 for Active Transportation Network in Maidstone Hamlet Settlement Area)

N

0 1 2

Kilometres

Prepared By:
Tecumseh Development Services



Legend

- Settlement Area Boundary
- Provincial Highways
- Arterial Roads (County Roads)
- Collector Roads
- Local Roads
- Conceptual Future Local Roads
- Conceptual Road Closure

SCHEDULE "E-3"
Town of Tecumseh Official Plan
Maidstone Hamlet Settlement Area
Road Classification

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Town of Lakeshore

Town of LaSalle

43

42

19

46

17

401

3

34

9

11

8

Legend

- Settlement Area Boundary
- Significant Ground Water Recharge Areas
- Salt Deposits

0 0.475 0.95 1.9

Kilometres

N

SCHEDULE "F"

Town of Tecumseh Official Plan

Natural Resources

Prepared By:
Tecumseh Development Services

Lake St. Clair

City of Windsor

Municipality of Lakeshore

Town of LaSalle

43

42

19

401

46

17

3

34

9

11

8

Legend

Urban Area Boundary

Intake Protection Zones

0 0.5 1 2

Kilometres

N

SCHEDULE "G"

Town of Tecumseh Official Plan

Intake Protection Zones

Prepared By:
Tecumseh Development Services

COUNTY ROAD 22
EC ROW EXPRESSWAY
GOUIN STREET
MAISONNEUVE STREET
BANWELL ROAD
INTERSECTION ROAD
LESPERANCE ROAD
MANNING ROAD
ONTARIO HYDRO CORRIDOR
ONTARIO HYDRO CORRIDOR
SHIELDS STREET
COUNTY ROAD 42

Legend

Settlement Area Boundary (Tecumseh Hamlet)

Tecumseh Hamlet Secondary Plan Area (THSPA)

SCHEDULE "H-1"
THSPA

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

INTERSECTION ROAD

BANWELL ROAD

LESPERANCE ROAD

MANNING ROAD

SHIELDS STREET

COUNTY ROAD 42

Legend

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Distribution of Residential Density
- Open Space Network
- Road Network
- Main Street
- Commercial Nodes
- Gateway Features

SCHEDULE "H-2"
STRUCTURE PLAN

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

BANWELL ROAD

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

SHIELDS STREET

COUNTY ROAD 42

Legend

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- County/Windsor Regional Road
- Minor Arterial Road
- Collector - Urban
- Collector - Rural
- Local Road

SCHEDULE "H-3"
ROAD HIERARCHY

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

BANWELL ROAD

SHIELDS STREET

COUNTY ROAD 42

1

2

3

Legend

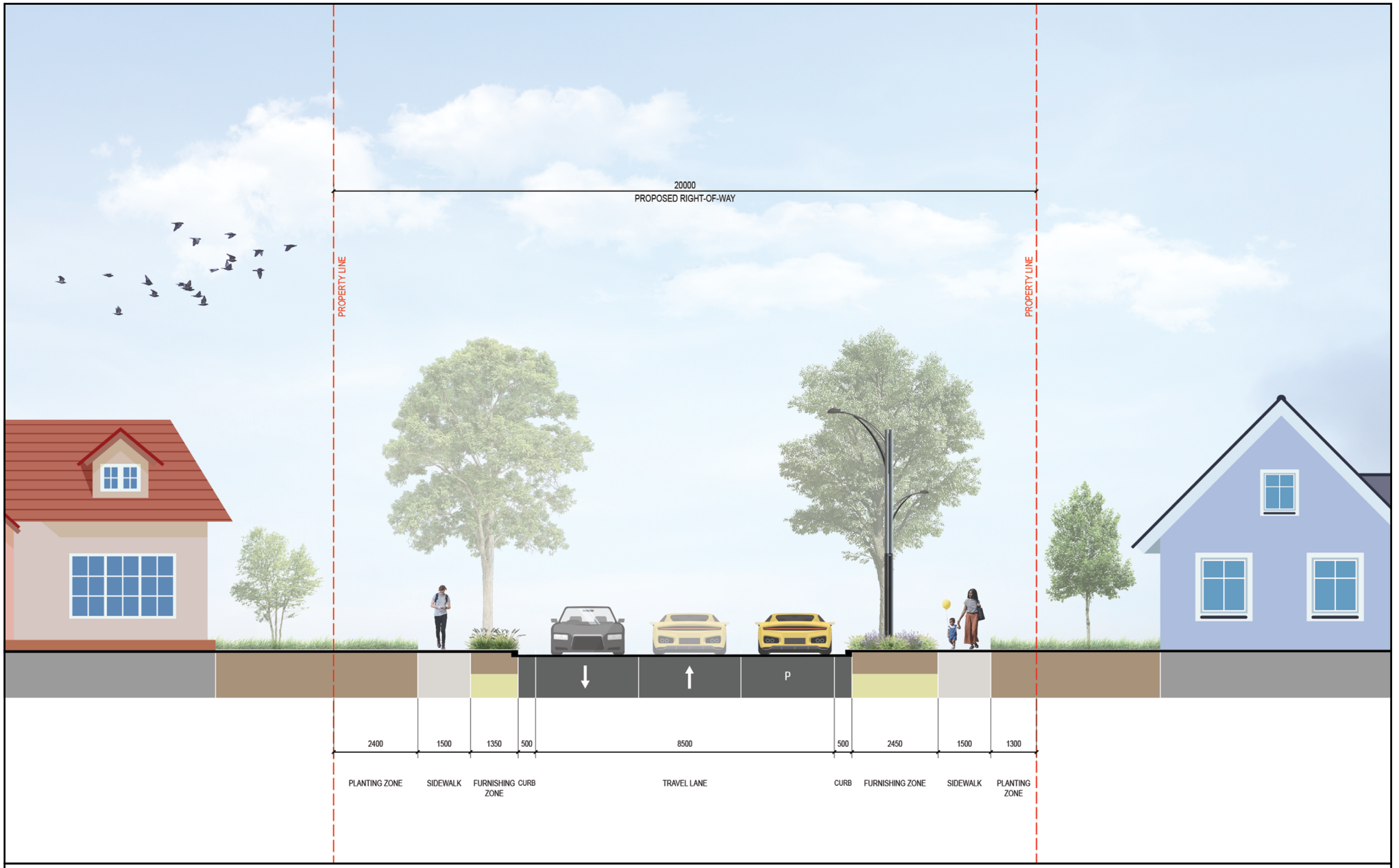
- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- County/Windsor Regional Road
- 20m ROW - Typical
- 23m ROW - Typical
- 23m ROW - Special Design

SCHEDULE "H-4"
PLANNED RIGHT OF WAY WIDTH

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

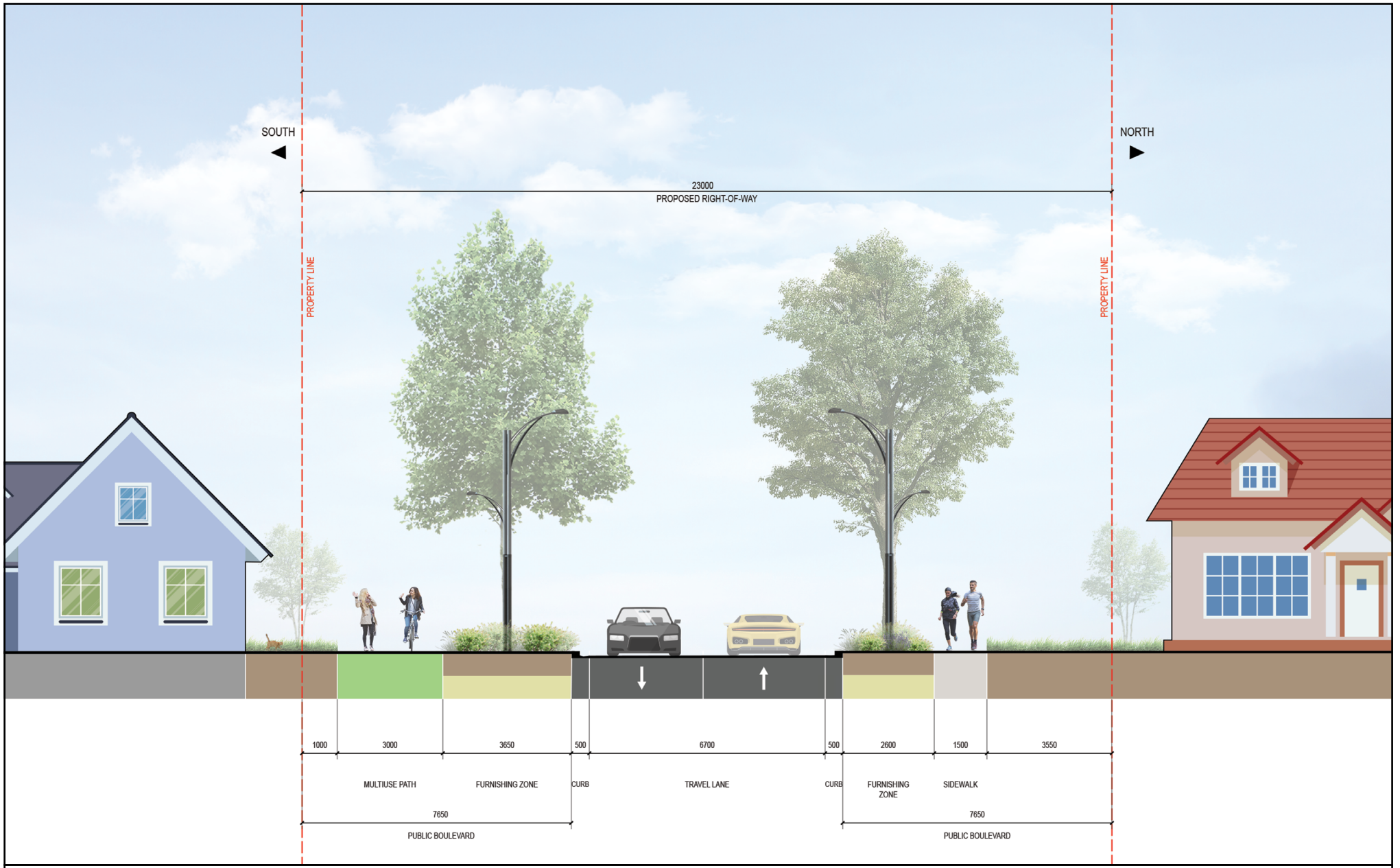
N

0 100 250 500 m



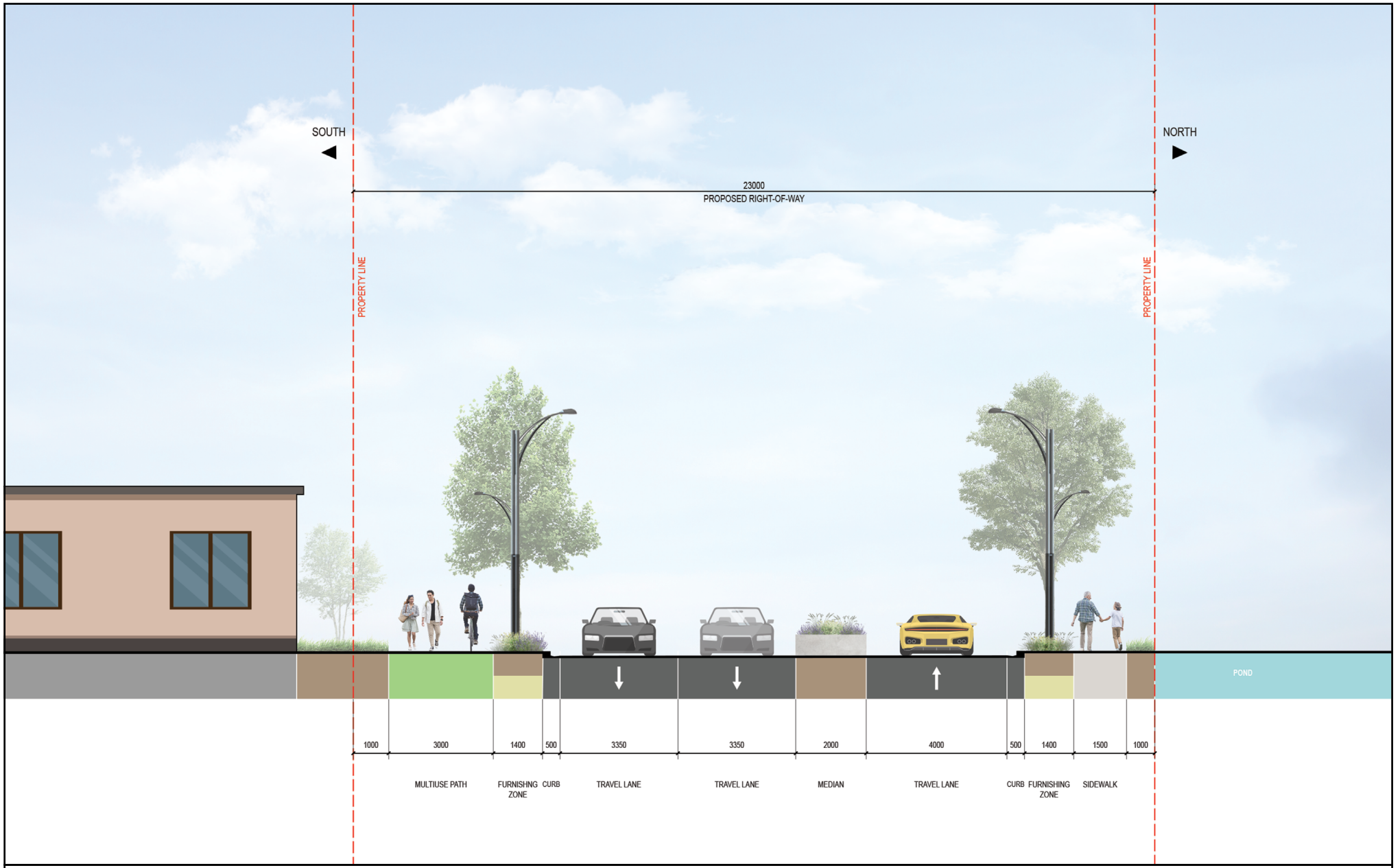
SCHEDULE “H-5”
CROSS SECTION - 20M ROW - TYPICAL

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan



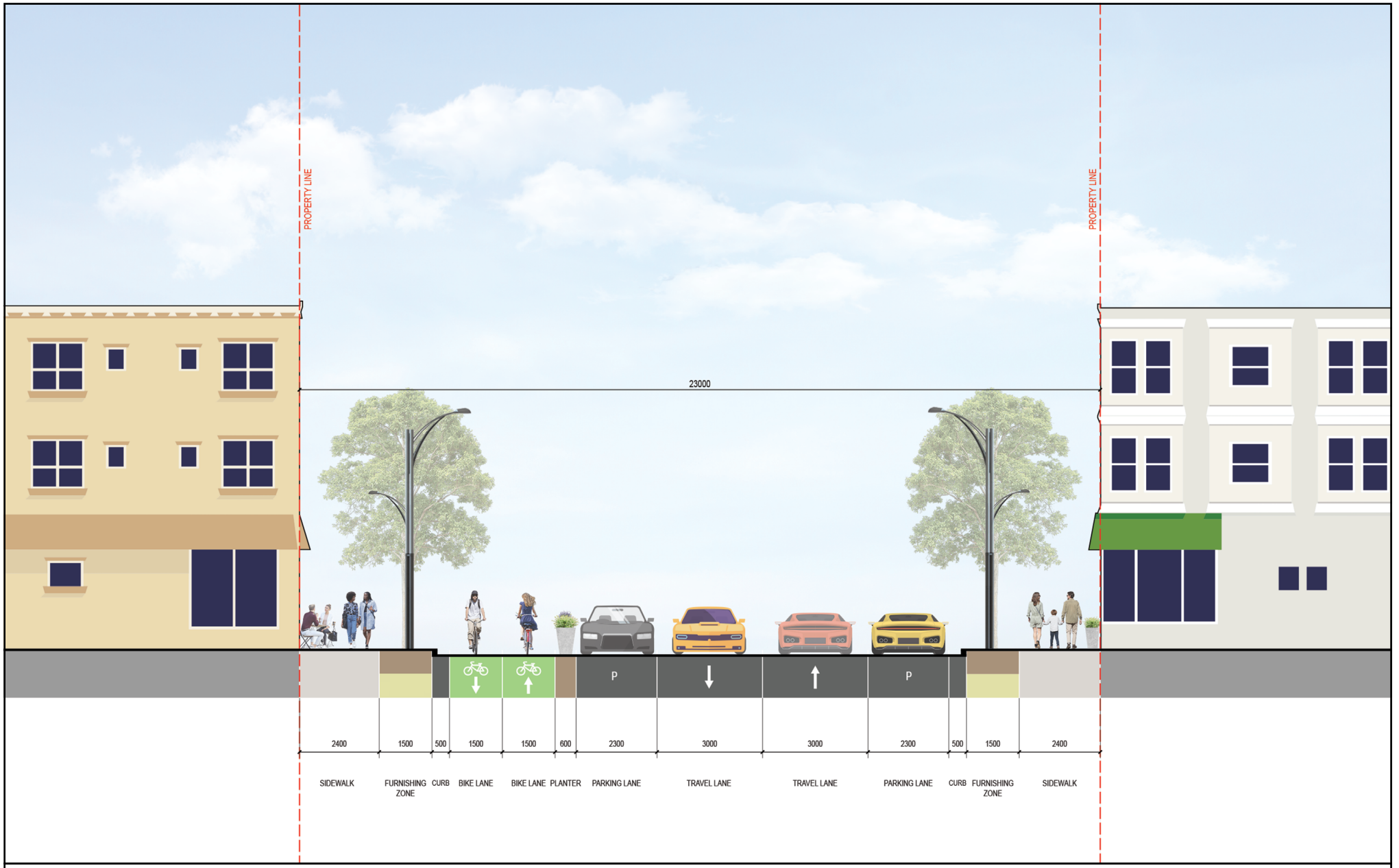
SCHEDULE "H-6"
CROSS SECTION - 23M ROW - TYPICAL

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan



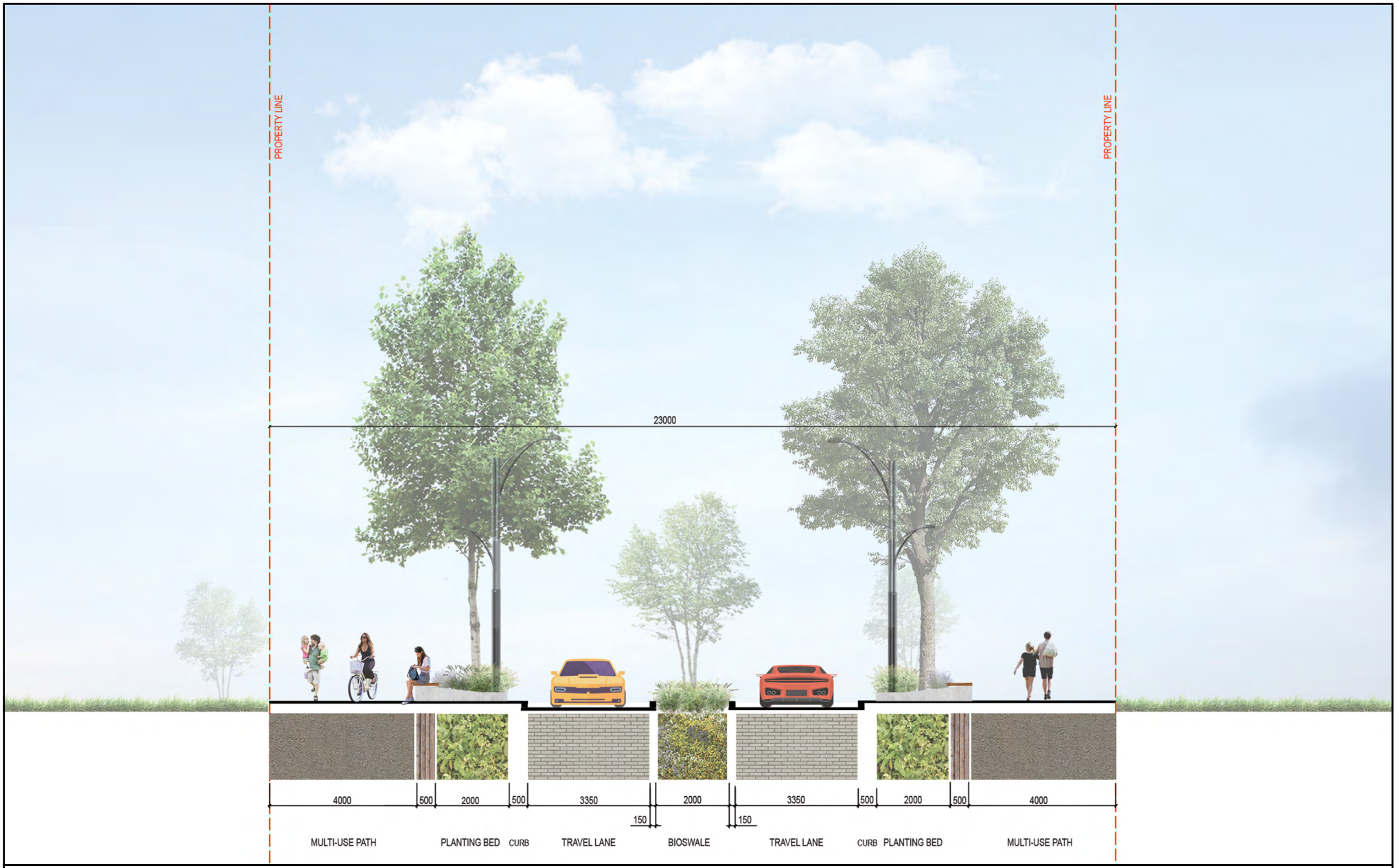
SCHEDULE “H-7”
CROSS SECTION - 23M ROW - SPECIAL DESIGN #1

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan



SCHEDULE "H-8"
CROSS SECTION - 23M ROW - SPECIAL DESIGN #2

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan



SCHEDULE "H-9"
CROSS SECTION - 23M ROW - SPECIAL DESIGN #3

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

BANWELL ROAD

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

SHIELDS STREET

COUNTY ROAD 42

Legend

- Tecumseh Hamlet Boundary
- THSPA
- MRSPA
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighbourhood Commercial
- Anchor Commercial
- Community Facility
- Main Street Mixed-Use
- Hydro Corridor
- Natural Environment
- Recreational
- Stormwater Management Pond
- Business Park
- Existing Parks
- Special Policy Area
- Natural Environment Buffer
- Natural Environmental Overlay

SCHEDULE "H-10"
LAND USE PLAN

Town of Tecumseh Official Plan

Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22
GOUIN STREET
MAISONNEUVE STREET
INTERSECTION ROAD
BANWELL ROAD
LESPERANCE ROAD
MANNING ROAD
SHIELDS STREET
COUNTY ROAD 42

Legend

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Existing Parks
- Stormwater Management Pond
- Woodlot/Natural Features
- Hydro Corridor
- Parks
- Green Streets
- Existing and Planned Trails
- Proposed Trails

SCHEDULE "H-11"
OPEN SPACE FRAMEWORK

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

20m Easement

12m Easement

12m Easement

GOUIN STREET

MAISONNEUVE STREET

BANWELL ROAD

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

20m Easement

20m Easement

20m Easement

20m Easement

20m Easement

SHIELDS STREET

COUNTY ROAD 42

Legend

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Existing Parks
- Stormwater Management Pond
- Open Space Network
- Major Infrastructure Corridors

SCHEDULE "H-12"
Major Infrastructure Corridors

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

BANWELL ROAD

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

SHIELDS STREET

COUNTY ROAD 42

Legend

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Existing Parks
- Stormwater Management Pond
- Open Space Network
- Schoole Site
- Sidewalks
- Existing Trails
- Planned Trails
- Proposed Trails
- Midblock Connection

SCHEDULE "H-13"
PEDESTRIAN NETWORK

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

BANWELL ROAD

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

SHIELDS STREET

COUNTY ROAD 42

Legend

- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Existing Parks
- Stormwater Management Pond
- Open Space Network
- Cycling Path (On or Off Road)
- Existing Trails
- Proposed Trails
- CWATS On-Road Routes
- CWATS Off-Road Routes
- Key Crossings

SCHEDULE "H-14"
CYCLING NETWORK

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m

COUNTY ROAD 22

GOUIN STREET

MAISONNEUVE STREET

BANWELL ROAD

INTERSECTION ROAD

LESPERANCE ROAD

MANNING ROAD

SHIELDS STREET

COUNTY ROAD 42

Legend

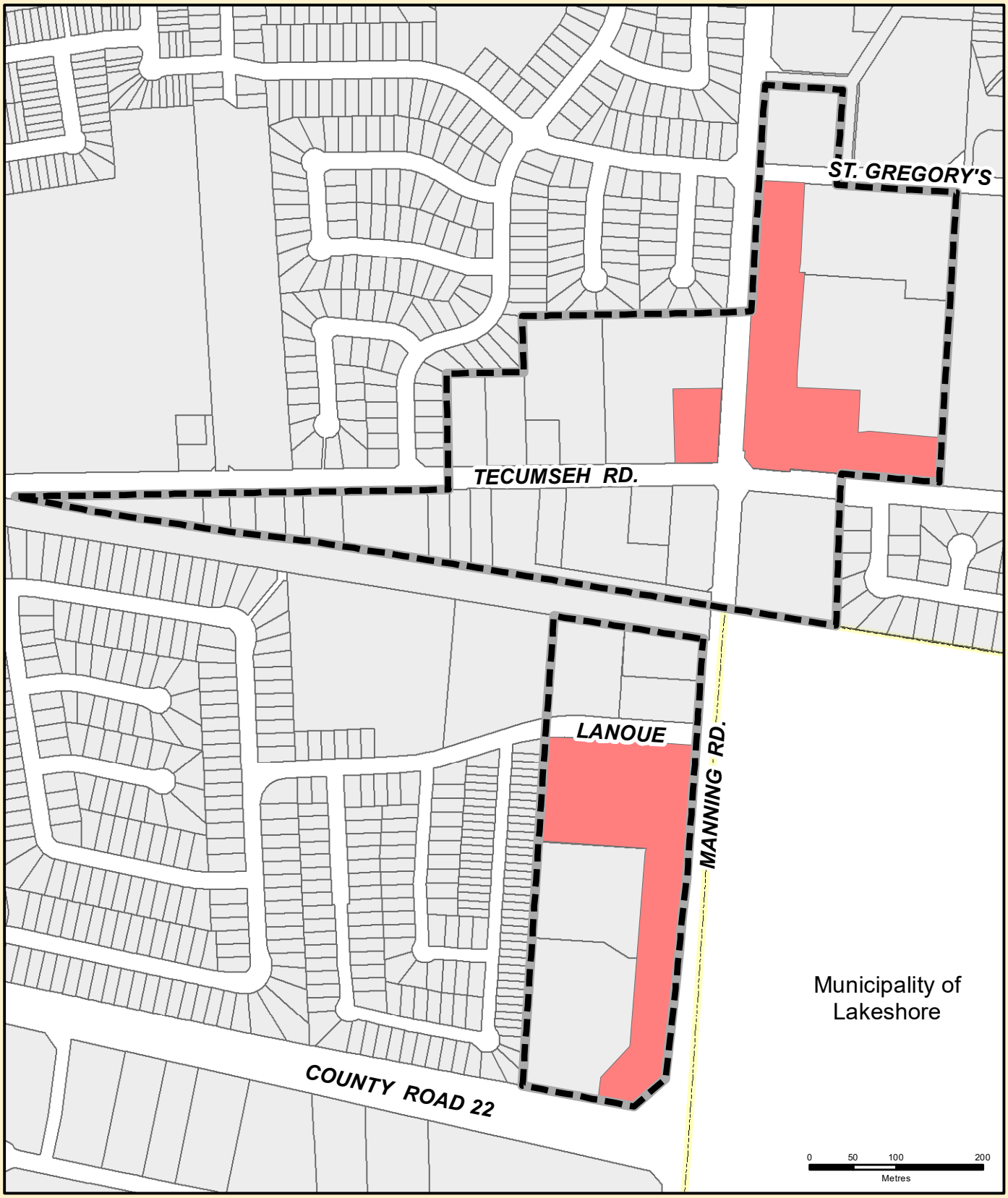
- Settlement Area Boundary (Tecumseh Hamlet)
- Tecumseh Hamlet Secondary Plan Area (THSPA)
- Manning Road Secondary Plan Area (MRSPA)
- Planned Transit Routes
- Potential Future Transit Expansion

SCHEDULE “H-15”
TRANSIT

Town of Tecumseh Official Plan
Tecumseh Hamlet Secondary Plan

N

0 100 250 500 m



N

Prepared By:
Tecumseh Development Services

Legend

- Special Policy Boundary
- Intitial Phase Lands
- Municipal Boundary

SCHEDULE "I"

Tecumseh Road/Manning Road
Mixed-Use District

Lands Subject to Subsection
4.3.3 v) of the Official Plan