

**CORPORATION OF THE VILLAGE OF POINT EDWARD**

**BY-LAW NUMBER 26 OF 2021**

Being a By-law to adopt Official Plan Amendment Number 3

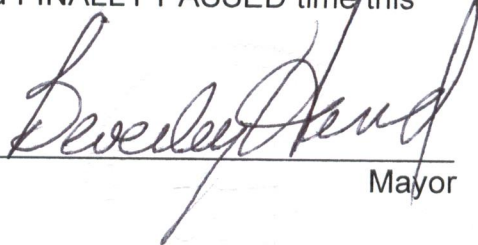
**WHEREAS** the Council of the Corporation of the Village of Point Edward has directed that the Official Plan be reviewed in order to provide guidance for the future development of the Village; and

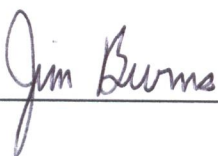
**WHEREAS** the Council is satisfied that the attached Official Plan Amendment is suitable to provide such guidance;

**NOW THEREFORE**, the Council of the Corporation of the Village of Point Edward, in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, as amended, hereby enacts as follows:

1. The attached Official Plan Amendment, which forms Schedule "A" to this by-law, is hereby adopted.
2. The existing Official Plan of the Village of Point Edward and its adopting By-law Number 27 of 2009, is hereby amended.
3. The Clerk is hereby authorised and directed to make application to the County of Lambton for approval of the new Official Plan.
4. This By-Law shall come into force and take effect pursuant to the provisions of the Planning Act.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED time this  
13<sup>th</sup> day of July, 2021.

  
Mayor

  
Clerk

AMENDMENT NO. 3

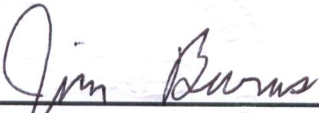
VILLAGE OF POINT EDWARD

**AN AMENDMENT TO IMPLEMENT THE FIVE-YEAR REVIEW  
OF THE OFFICIAL PLAN**

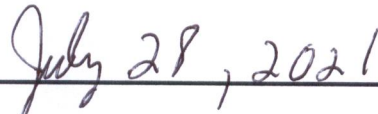
## DECLARATION

IN THE MATTER OF OFFICIAL PLAN AMENDMENT NUMBER 3 IN THE VILLAGE OF  
POINT EDWARD, COUNTY OF LAMBTON

I, Jim Burns, in my capacity as Clerk for the Village of Point Edward, hereby declare that the attached text and schedules constituting Official Plan Amendment No. 3 to the Village of Point Edward Official Plan was adopted by Council for the Village of Point Edward on July 13, 2021 by By-law No. 26 of 2021, as amended, in accordance with Section 17(22) of the *Planning Act*, R.S.O., 1990, c.P. 13.

  
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Jim Burns  
Village Clerk

  
\_\_\_\_\_

Date

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## **THE CONSTITUTIONAL STATEMENT**

Part A, The Preamble, does not constitute part of this Amendment.

Part B, The Amendment, consisting of 124 items, constitutes Amendment No. 3 to the Official Plan for the Point Edward Planning Area, County of Lambton. The title of Amendment No. 3 is "An Amendment to Complete the Five-Year Review of the Official Plan".

Part C, The Appendices, does not constitute part of this Amendment.

## **PART A THE PREAMBLE**

### **Purpose**

The purpose of this Official Plan Amendment is to complete the Five-Year Review of the Official Plan for the Village of Point Edward. In undertaking the Five-Year Review, additional requirements for updates including conformity to the Provincial Policy Statement and the County of Lambton Official Plan were completed. As well, legislative changes in Ontario provided new opportunities and issues for the Village, all of which have been incorporated into this Amendment.

### **Location**

The area to which this Amendment applies is all lands within the Village of Point Edward.

### **Basis**

This Official Plan Update was developed based on the following:

- Information and feedback provided at the Special Council Meeting held in September, 2020;
- Written submissions received regarding the Official Plan issues and opportunities;
- The research and review information in the Background Report prepared by NPG Planning Solutions;
- The community survey held in the fall of 2020 to identify community issues, concerns, and opportunities;
- Identification of emerging issues whether through Provincial legislation (additional dwelling units is an example) or planning practice in Ontario (cannabis/green energy are examples); and
- Reviews of required policies and plans – the Provincial Policy Statement (2020); the County of Lambton Official Plan; and the Source Protection Plans covering Lambton County.

This Official Plan Update confirmed that the Village's Official Plan provides a strong foundation for future planned growth and community development in Point Edward. This foundation will be enhanced and built upon through the following key components of this Amendment:

1. The Amendment creates a 25-year community plan for growth and community development founded on the community structure in the Village;

2. The Amendment creates opportunities for new housing through updated policies for housing and the provision of policies supporting intensification and additional dwelling units;
3. The Amendment confirms the importance of the commercial areas in the Village and addresses specific feedback received regarding the Michigan Avenue commercial area;
4. The Amendment reflects and incorporates feedback related to community growth focusing lower density housing north of the Blue Water Bridge and medium/higher density housing south of the Blue Water Bridge;
5. The Amendment includes significant updates to the Natural Heritage System Policies consistent with the Provincial Policy Statement (2020) and conforming with the Lambton County Official Plan;
6. The Amendment addresses community feedback related to green energy; cannabis growing; and short-term vacation rentals; and
7. The Amendment achieves the following to assist in administering the Plan:
  - a. Flexibility in Application, Interpretation, and Updating of the Plan
  - b. Enhanced readability and understanding of the Plan

## **PART B THE AMENDMENT**

### Introductory Statement

All of this part constitutes Amendment No. 3 to the Official Plan for the Village of Point Edward Planning Area, County of Lambton.

### Details of the Amendment

The Amendment consists of 124 items.

The Official Plan is amended as follows:

1. Items 1 through 116 (changes to text and tables)  
Specified sections of the Plan are amended as per the following tables of this Amendment:
  - a) Table A – General Wording Amendments
  - b) Table B – Amendments to Part A of the Official Plan
  - c) Table C – Amendments to Part B of the Official Plan
  - d) Table D – Amendments to Part C of the Official Plan
  - e) Table E – Amendments to Part D of the Official Plan
  - f) Table F – Amendments to Part E of the Official Plan
2. Items 117 through 124 - changes to and addition of Schedules, Maps and Appendices – are found in Table G. Specified Schedules, Maps and Appendices of the Plan are amended as per Table G of this Amendment and as shown on Attachments 1 through 8.



TABLE A – General Wording Amendments

Item No.	Policy Number	Details of the Amendment
1	N/A	The word “Municipality” is changed to “Village” in all instances in the Official Plan.
2	N/A	“Provincial Policy Statement, 2005” is changed to “Provincial Policy Statement 2020 (PPS 2020)” in all instances in the Official Plan.



TABLE B – Amendments to Part A of the Official Plan

Item No.	Policy Number	Details of the Amendment
3	2	<p>Add the following sentence before the existing wording:</p> <p>The Plan will provide guidance for the development and planning of land uses within the Village of Point Edward for a period extending to the year 2046.</p> <p>Add the following sentences after the existing wording:</p> <p>Amendments to this Plan may be required from time to time due to changing economic, social and environmental circumstances and will be considered in accordance with the <i>Planning Act</i>.</p> <p>Amendments to this Plan will be made to ensure conformity with the County of Lambton Official Plan Policies and the Provincial Policy Statements. No amendment will be made to this plan, which would not be in conformity with the County Official Plan Policies.</p>
4	3	<p>Add “the” before ‘more detailed policies...’</p> <p>After ‘more detailed policies’ add “of this Plan”</p>
5	4	<p>First Paragraph:</p> <p>Add the following wording:</p> <p>After ‘land use patterns which’ add “build strong, liveable and healthy communities that are resilient to climate change, and”</p> <p>Last Paragraph:</p> <p>Change first sentence from: “... central business district on Michigan Avenue, between St. Clair Street and Livingston Street ...” to: “... central business district on Michigan Avenue, between Monk Street and Livingston Street ...”.</p>
6	5	<p>The following is added:</p> <p>This Plan is organized into five parts, as follows:</p> <p>Part A The introduction details the purpose, effect, and basis underlying the Plan.</p>

Item No.	Policy Number	Details of the Amendment
		<p>Part B: This part contains sections that describes the land use designations that apply across the Village. Together with the land use maps, these designations will help implement the strategy for managing change set out in Part A.</p> <p>Part C: This part includes policies for Municipal systems: transportation, public utilities, municipal services, and energy systems.</p> <p>Part D: This part contains policies to guide decision making based on the Village's goals for the human, built, economic and natural environments.</p> <p>Part E: This part explains how the Village will implement the Official Plan using development approval processes and planning tools.</p> <p>Schedules, Maps and Appendices: Schedules, Maps and Appendices are found at the end of the Plan. The schedules, which form part of this Plan, provide an illustration of the overall growth strategy and natural heritage system for the Village. The maps and appendices provide additional mapping of features the geography of which is relevant to the Plan but maintained by others external to the Village.</p>
7	6	<p>The following policies are added:</p> <p>The Village of Point Edward is planning for growth on the following basis as identified in the County of Lambton Official Plan:</p> <p style="padding-left: 40px;">a. To 2031:</p> <p style="padding-left: 40px;">Projected Population: 1,529 to 2,058 people</p> <p style="padding-left: 40px;">Projected Annual Dwelling Units:                      5</p> <p>The projected population and projected annual dwelling units are targets and are not considered maximum figures or caps.</p> <p style="padding-left: 40px;">b. From 2031 to 2046, growth shall be addressed as follows:</p> <p style="padding-left: 80px;">i. A land supply for growth in excess of 25 years was determined to be available for the Village as part of the preparation of the County of Lambton Official Plan (2018);</p>



Item No.	Policy Number	Details of the Amendment
		<ul style="list-style-type: none"> <li>ii. The County of Lambton will prepare an updated projection of population growth and housing growth prior to 2031 as part of a planned update to the County Official Plan;</li> <li>iii. The Village of Point Edward Official Plan will be updated to include projected population and dwelling units upon the conclusion of the update by the County of Lambton in clause ii).</li> </ul>
8	6	<p>The following is added:</p> <p><b>A Role for Process: Development Applications</b></p> <p>The role of the Official Plan is to provide general guidance for development that applies on a Village wide basis related to land use including designations and permissions. The policies of this Plan also provide guidance to inform development application processes and area-specific planning processes. The specific role for development applications like Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision and Condominium, consents and minor variance applications acknowledges that Village wide policy cannot anticipate every circumstance related to a site or a development. The Official Plan has policies to ensure that development applications are considered against the policies of this Plan so that the outcome of a development application addresses the public interest.</p>

TABLE C – Amendments to Part B of the Official Plan

Item No.	Policy Number	Details of the Amendment
9	5.1	<p>The following policy is added:</p> <p>Notwithstanding any other policy in this Plan, the Zoning By-law for the Village of Point Edward is authorized to permit affordable housing units within buildings or projects containing other residential units and providing for the affordable housing units to be maintained as affordable housing units over time.</p>
10	5.1.1	<p>The following policy is added:</p> <p>(a) Move current policy 5.1.1 to 5.1.2(a) and modify as per 5.1.2 below and;</p> <p>(b) New Policy 5.1.1:            “For the purposes of policy 5.1.2 and other references to residential density in this Plan, residential density shall exclude any lands determined to be undevelopable due to natural hazards (e.g. Floodplain and steep slopes) and should include planned roads (public and private) and developable open space and amenity areas (common and private).</p>
11	5.1.2	<p>Change: “Other residential uses permitted ....”, to: “Residential uses may be permitted within Residential Areas subject to the following:</p> <p>(a) Policy 5.1.1 is moved to 5.1.2 (a) and modified from: “..., <i>not exceeding 20 units per hectare (8 units per residential acre), ...</i>”; to: “..., <i>generally not exceeding 20 units per residential hectare (8 units per residential acre), ...</i>”; and</p> <p>(b) 5.1.2 (a) – (c) inclusive become 5.1.2 (b) – (d) inclusive.</p>
12	5.2.3	<p>Change first sentence from: “Infilling in Residential Areas will be undertaken by means of planned subdivision development, or where a plan of subdivision is not required, by severance of lands to make the most efficient use of municipal services”;</p> <p>to: “Intensification, including infill development and redevelopment, in Residential Areas may be undertaken either by means of a plan of subdivision, plan of condominium, or where neither subdivision nor condominium is appropriate, by consent, provided the means selected is intended to make the most efficient use of municipal services. Such development may also be subject to site plan control.”</p>
13	5.2.4	<p>Delete and replace with:</p>



Item No.	Policy Number	Details of the Amendment
		The design of new roads in new subdivisions and/or areas subject to plans of condominium and/or severances will be carried out so as to permit development of landlocked parcels in existing developed areas wherever possible. Access roads to such parcels or condominium units may be dedicated as public roads but may also be considered as private roads where such roads are owned by a condominium corporation(s)."
14	5.2.8	<p>Change "... three year ..." to "... five year ...".</p> <p>Add to the end of the current paragraph:</p> <p>The Village, as of the adoption of the 2021 Official Plan Update, has a supply of residential lands in excess of a 15-year supply. However, intensification of that existing land supply represents the only means for sustained long term growth in Point Edward."</p>
15	5.2.10	Delete existing wording and replace with: "Residential development may be phased, but final approvals shall be subject to the availability of servicing capacity and required infrastructure".
16	5.2.12 c) and d)	<p>Delete and replace c) with: "permitting and facilitating all types of residential intensification, including additional residential units and redevelopment;</p> <p>For d), delete and replace ", " with "; and".</p>
17	5.2.12	<p>Under "targets for the provision of affordable housing", delete the first paragraph and replace with:</p> <p>In accordance with the 2020 Provincial Policy Statement and the County's Official Plan, the Village shall utilize the most current Lambton County Housing and Homelessness Plan when setting targets for the provision of affordable housing and will work with the County should there be a need to identify a higher minimum target than is currently provided in the County's Housing and Homelessness Plan.</p>
18	5.2.14 (b)	Add "(16 units per residential acre)" following "... 40 units per residential hectare ...".
19	5.2.14 (d)	<p>Add "shall be" between "... and" and "subject to ...".</p> <p>Following "... Plan" at the end of this sentence, add ", or other relevant land use and design review processes enacted by Council (eg. Community Planning Permit System)."</p>
20	5.2.15 d) and e)	<p>For d), delete and replace "." with "; and"</p> <p>Delete: "All applications for new high density residential development will be subject to Site Plan Control" and replace by adding:</p>



Item No.	Policy Number	Details of the Amendment
		<p>"e) shall be subject to Site Plan Control, or other relevant land use and design review processes enacted by Council (eg. Community Planning Permit System)."</p>
21	5.2.17	<p>The following policy is added:</p> <p><b>Accessory Buildings</b></p> <ul style="list-style-type: none"> <li>a) Appropriate uses of accessory buildings in residential areas include storing tools, equipment and materials used in the maintenance of the house and property, activities associated with property maintenance, and storing personal vehicles, recreational items and household items. Hobby activities and limited small scale home industries may be appropriate where the scale and nature of the activities have no objectionable features and are not overly intense for a residential area.</li> <li>b) Buildings of form or size which could lend themselves to overly intensive or inappropriate uses with future or present owners or that go beyond what is needed for conventional residential accessory uses shall be avoided.</li> <li>c) Buildings of a size or height that is potentially out of scale or character with a residential area will be avoided. Where an over-sized building is determined appropriate, increased side and rear yard setbacks may be required. Over-shadowing neighbouring properties will be avoided.</li> </ul>
22	5.2.18	<p>The following policy is added:</p> <p><b>Additional Dwelling Units</b></p> <ul style="list-style-type: none"> <li>a) Notwithstanding any other policy in this Plan, the use of 'additional dwelling units' is authorized in accordance with the <i>Planning Act</i> and its associated regulations, by permitting the following: <ul style="list-style-type: none"> <li>i. The use of two residential units in a detached house, semi-detached house, or rowhouse; and,</li> <li>ii. The use of a residential unit in a building or structure ancillary to a detached house, semi-detached house, or rowhouse.</li> </ul> </li> </ul> <p>For the purpose of calculating residential density and implementing the policies of this Plan, 'additional dwelling units' or the potential for 'additional units' shall not be included</p>

Item No.	Policy Number	Details of the Amendment
		<p>in maximum density calculations. However, these units may be considered when assessing servicing capacity associated with site development. As well, additional units approved for occupancy (per the Ontario <i>Building Code</i>) may be used to demonstrate achievement of minimum densities when applicable, either for implementation of policies in this Plan or for use in an implementing Zoning By-law.</p> <p>b) The Village shall permit additional dwelling units in a residential area on a residential lot occupied by a single detached, semi-detached, or townhouse dwelling, and an additional dwelling unit in an accessory building. Additional dwelling units shall be limited in scale and secondary to the main dwelling. In location, layout and character, additional dwelling units must not conflict with the physical character of the neighbourhood and must not negatively impact the amenity or enjoyment of neighbouring properties, especially rear yard spaces.</p> <p>c) An additional dwelling may not be permitted as accessory to a main dwelling unit in certain situations. These include units within a plan of condominium, and lots where a dwelling is only permitted as accessory to another use. Additional dwelling units may be prohibited within areas with sewage capacity constraints.</p> <p>d) Preference shall be for additional dwelling units to be within or attached to the main dwelling and convertible to use as part of the main dwelling. Additional dwelling units in detached accessory buildings may be subject to greater lot line setbacks than normally applied to detached accessory buildings. The permitted size shall be less than second units contained within or attached to a main dwelling. Additional dwelling units in detached accessory buildings do not, in themselves, provide justification for larger accessory building sizes, numbers or coverage than otherwise allowed on a residential lot.</p> <p>e) The Zoning By-law shall set out applicable standards for additional dwelling units consistent with the Ontario regulation for additional dwelling units. The Committee of Adjustment may consider exceptions where the intent of this Plan's policies applicable to additional dwelling units and section 5.2.17 policies c) and d) is maintained. In particular, greater flexibility may be given regarding size and form on larger lots that provide greater separations to neighbouring uses. Creation of</p>



Item No.	Policy Number	Details of the Amendment
		<p>a separate building lot may be more appropriate in some cases than variances for size.</p> <p>f) Additional Dwelling Units shall not be permitted within natural hazard areas (e.g. flood hazard areas, unstable slopes).</p>
23	5.4	<p><b>Delete and replace with:</b>  <b>“5.4 Short Term Vacation Rentals</b></p> <p>The Village may establish, through the Comprehensive Zoning By-law and/or a municipal licensing framework, appropriate provisions related to the nature, scale, and density of Short-Term Vacation Rentals that are compatible with surrounding land uses, to ensure these uses remain appropriately integrated in the Village’s residential areas, providing for the continued availability of suitable short-term accommodations in the community.</p> <p>Short-Term Vacation Rentals (STVRs) recognized by this Plan include Bed and Breakfast Establishments, owner-occupied partial dwelling or dwelling unit rentals (i.e. a principal residence), and entire-dwelling or dwelling unit rentals (i.e. not a principal residence). STVRs may be permitted in commercial areas but should be subject to the same land use policies as those permitted in residential areas and shall be subject to the same licensing requirements.</p> <p><b>Goals and Objectives for Short Term Vacation Rentals:</b></p> <p>The Village’s goals and objectives related to Short-Term Vacation Rentals (STVRs) are as follows:</p> <ul style="list-style-type: none"> <li>a) STVRs should respect and be compatible with the residential character, amenity, and quality of residential neighbourhoods. This may be achieved through establishing densities for STVRs, mitigation measures to adjacent residential properties, and municipal regulations intended to ensure the orderly management of STVRs;</li> <li>b) All roads used to access lots with an STVR shall be of sound construction and conform to the Village’s road design standards;</li> </ul>

Item No.	Policy Number	Details of the Amendment
		<p>c) Guests shall be provided with accommodations conforming to current health and life safety standards;</p> <p>d) Facilities will be operated and maintained in acceptable conditions as detailed in the Village's relevant By-laws; and</p> <p>e) Operators of STVRs shall acknowledge their responsibilities in complying with the Village's by-laws and licensing provisions.</p> <p><b>Policies:</b></p> <p>5.4.1 The Village may, on an area-specific or case-by-case basis, prohibit STVRs in areas that are not considered to be consistent with this Plan;</p> <p>5.4.2 Any short-term rental not operated by residents permanently residing in the dwelling may only be licensed for such use if the use is permitted by the comprehensive zoning bylaw or is a legal non-conforming use;</p> <p>5.4.3 Guest rooms shall only be available for temporary, short term accommodation to the general public;</p> <p>5.4.4 Subject to any other requirements of the zoning or licensing by-law, STVRs shall not contain more than three (3) guest rooms. STVRs with four or more guest rooms may be permitted without amendment to this Plan but shall require a site-specific Zoning By-law amendment;</p> <p>5.4.5 Any proposed external or internal alterations of a home utilized as an STVR that requires a planning application, including but not limited to a minor variance, such alteration(s) shall ensure that the physical character of the building is consistent with the physical character of the surrounding neighbourhood;</p> <p>5.4.6 The site area of all STVRs shall be sufficient to provide for off-street parking (i.e. on-site parking) and buffering from abutting residential uses;</p> <p>5.4.7 Special provisions applicable to Bed and Breakfast Establishments include:</p>



Item No.	Policy Number	Details of the Amendment
		<p>5.4.7.1 Separate kitchen or dining areas for guests may be provided. Establishment of a restaurant catering to persons other than guests shall not be permitted;</p> <p>5.4.7.2 Only persons permanently residing in the dwelling shall operate a Bed and Breakfast Establishment; and</p> <p>5.4.7.3 Construction or conversion of buildings accessory to the home to accommodate guests shall not be permitted.</p> <p>5.4.8 Prior to approving any STVR use with more than three guest rooms for a site, and as part of the assessment of the suitability of the proposal, consideration by Council shall include the following:</p> <p>5.4.8.1 All licenced and approved STVRs shall be subject to a municipally approved STVR Code of Conduct;</p> <p>5.4.8.2 Any STVRs with more than three guest rooms shall be defined in the zoning bylaw and subject to site plan control to ensure:</p> <ul style="list-style-type: none"> <li>a) Sufficient on-site parking is available;</li> <li>b) Occupancy Loads of the dwelling are not exceeded;</li> <li>c) Appropriate water and wastewater services are provided to the dwelling;</li> <li>d) Operational fire and safety plans are approved by qualified municipal Inspectors;</li> <li>e) Appropriate on-site signage is provided;</li> <li>f) Appropriate site landscaping and buffering is provided to mitigate potential impacts on neighbouring properties;</li> <li>g) Suitable privacy fences and/or screening is provided to further buffer and mitigate any potential impacts of the proposal on abutting and other nearby properties;</li> <li>h) Suitable on-site amenity area is provided for guests and residents;</li> </ul>



Item No.	Policy Number	Details of the Amendment
		<p>i) A development agreement is registered on title to ensure there are appropriate controls in place to ensure the site remains in good condition while operating as a short-term vacation rental; and</p> <p>j) Establish that a Property Manager shall be on call 24/7 to address noise complaints, property maintenance, and any other nuisance related complaints arising through the use of residential properties for this purpose.</p> <p>5.4.9 As part of a submission in support of a site-specific zoning amendment for STVRs with more than three guest rooms, a proponent shall be required to:</p> <p>5.4.9.1 Provide a planning justification report prepared by a qualified professional land use planner to be submitted with the rezoning application and provided to and reviewed by the Village's Planners. This report shall provide an assessment of how the proposed use may impact the use and enjoyment of neighbouring properties, and how any negative impacts will be mitigated, including a proposal for ongoing management of the property, for property standards, noise, and any other potential nuisances that may be associated with short term vacation rentals. Such on-site management proposals may later be addressed in specific detail in the site plan development agreement; and</p> <p>5.4.9.2 Demonstrate availability and suitability of on-site and nearby public amenities and services for residents and guests.</p> <p>5.4.10 "Additional dwelling units" (per the Ontario <i>Planning Act</i>) approved for the site shall not be used for any form of temporary accommodation (i.e. additional units shall only be provided for permanent, long term housing supply); and</p> <p>5.4.11 STVRs should be encouraged to locate in proximity to established commercial areas, tourist areas or local attractions".</p>
24	5.5	Following "new development" under the main heading " <b>Compatibility Policies for Residential Areas</b> " and following "New development" under the sub-heading "general", insert "intensification," in both instances.
25	6.3	The following policy is added:

Item No.	Policy Number	Details of the Amendment
		<p>d) Notwithstanding Policy 6.2, residential dwelling units may be considered as a primary use (i.e. not secondary uses nor “subordinate to commercial developments”) provided that:</p> <p>1) criteria (a)-(c) inclusive are appropriately addressed prior to final site and/or condominium plan approval;</p> <p>2) each proposal is subject to site plan and urban design review, including relevant agreements; and</p> <p>3) shall be subject to a site-specific zoning amendment.</p>
26	6.1.5 and 6.1.6	Change Policy numbers from “6.1.5” and “6.1.6” to “6.5” and “6.6” respectively.
27	10.1.3	<p>The following policy is added:</p> <p>Existing parkland space in the Village is of high value to the community and integral to the future viability and sustainability of the Village. Therefore, disposal of any parkland by the Village is discouraged in the strongest terms and further, where a publicly owned neighbourhood park is deemed to be surplus to the Village’s needs for the purposes of selling to others, prior to declaring the land surplus, the Village shall process a site-specific official plan and zoning amendment application that specifically removes ‘neighbourhood park’ (or similar defined use) from the list of permitted uses applicable to the affected site. This process will be in addition to any other public policy that the Village follows prior to the sale of lands surplus to the Village’s needs.</p>
28	10.1.6	<p><b>Delete: “sustainable design elements”</b> and the paragraph that follows:</p> <p>“If lands in the Village ... by the value of that part of the land”.</p>
29	10.1.8	Delete: “or through the use of bonussing as described in the “Implementation” policies of this Plan”.
30	10.1.16 (f)	<p>The following policy is added as (f):</p> <p>Any proposed redevelopment of the Sarnia Golf Course shall be subject to a coordinated plan considered jointly and cooperatively between the City of Sarnia and the Village of Point Edward”</p>
31	11 .1.1	<p>The following policy is added under Permitted Uses:</p> <p>Add: “other residential and office uses may be considered as part of a mixed use development proposal that includes some or all of the above-noted permitted uses, but shall be subject to a site specific zoning amendment and site plan control process (or other comparable planning implementation tool, such as CPPS), that</p>



Item No.	Policy Number	Details of the Amendment
		addresses site suitability and compatibility with surrounding areas; a primary focus for the review of any proposal shall focus on high quality urban and building design programs that enhance this key gateway location to Canada, Point Edward, the City of Sarnia and Lambton County.”
32	11.3	<p>The following policy is added:</p> <p>To help promote the importance of this site to the County and Village, and establish a vision for its development, the Village will work with the County to prepare a site development concept endorsed by Village Council to be used to promote this site to potential investors.</p>
33	12.1.2	<p>Delete 12.1.2 and replace with:</p> <p>All development shall be subject to development, subdivision, or condominium agreements pursuant to the <i>Planning Act</i> and will be subject to site plan, subdivision, and/or condominium conditions of approval as appropriate and allowed for pursuant to the <i>Planning Act</i>.</p>
34	12.1.12	<p>Delete: A maximum of 30 single detached and semi-detached dwellings shall be permitted”.</p> <p>Replace with: “Single detached and semi-detached dwellings are strongly discouraged but may be permitted if no more than a combined total of 30 of those unit types are constructed.</p>
35	12.2.7	<p>The following policy is added:</p> <p>h) Flood hazards have been appropriately assessed and addressed.</p>
36	13.2.14	<p>Delete the existing policy and replace with:</p> <p>The maximum residential density for permitted residential development shall be limited to 100 units per hectare (40 units per acre) and subject to the policies of Section 5.2.15.</p>
37	14.2.4	<p>Delete the existing policy and replace with:</p> <p>No open storage of goods and materials shall be permitted (see Policy 12.1.7 for added context); any areas that continue to be used for open storage should be screened from adjacent streets and residential areas, either by berms, planting strips or fences in a manner that complements the landscape features of the areas. The Village may take steps to complete such screening to mitigate</p>

Item No.	Policy Number	Details of the Amendment
		impacts on municipal lands within areas designated Waterfront Open Space and owned by the Municipality.
38	14.2.7	<p>The following policy is added:</p> <p>“Public Ownership of Municipal Waterfront Open Space”</p> <p>All Municipally owned lands designated ‘Waterfront Open Space’ shall not be deemed surplus to the Village’s needs, under any circumstances. The need for a continuous, publicly-controlled walkway system takes precedence over any and all other priorities that may be expressed from others; the Village will act accordingly to protect this valuable public resource.</p>
39	15	<p>The following policy is added:</p> <p><b>Aggregate Resource Not Available for Extraction</b></p> <p>While the Village is identified as a potential aggregate deposit in the Lambton County Official Plan, this Plan recognizes that as a built-out settlement area, the resource is not available for extraction due to the associated potential for social and economic disruption in the Village.</p>
40	15B.1	<p>The following policy is added:</p> <p>Cannabis Production Facility: means any indoor building structure, or lands licensed by, Health Canada to undertake cultivation, processing, sale, analytical testing, and research of cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or successor legislation. A cannabis production facility excludes the outdoor cultivation and processing of cannabis.</p>
41	15B.2	<p>The following policy is added:</p> <p>Cannabis production facilities may be permitted in the following land use designations subject to the policies of this Plan:</p> <ul style="list-style-type: none"> <li>a) Mixed-Commercial Industrial</li> <li>b) Commercial limited to the lands west of Front Street and south of Highway 402 only</li> </ul> <p>Cannabis production facilities within all other land use designations are prohibited.</p>
42	15B.3	<p>The following policy is added:</p> <p>Within the land use designations specified in Section 15B.2 of this Plan, a cannabis production facility shall require a rezoning application and a Site Plan application to be approved by Council.</p>



Item No.	Policy Number	Details of the Amendment
		<p>Both the rezoning application and Site Plan shall address the following:</p> <ul style="list-style-type: none"> <li>a) Conformity with the Province of Ontario's Sensitive Land Use Guidelines as updated from time to time;</li> <li>b) Noise, odour, and wind through studies prepared by a qualified professional;</li> <li>c) Photometric analysis including studies of night light and impacts prepared by a qualified professional;</li> <li>d) Servicing including stormwater management;</li> <li>e) Security plan and site design for security;</li> <li>f) Waste management plan;</li> <li>g) Mitigation plan including mitigation for sensitive land uses. For evaluating proposed cannabis growing facilities, sensitive land uses will include parks, open space, golf courses and marinas.</li> <li>h) Structures should be made primarily of solid building materials and not of greenhouse or opaque materials.</li> </ul>
43	15B.4	<p>The following policy is added:</p> <p>A cannabis production facility is defined as an indoor facility in accordance with Policy 15B.1 of this Plan. Outdoor cultivation and processing of cannabis shall require an amendment to this Plan, a rezoning, and a Site Plan application to be approved by Council.</p>



TABLE D – Amendments to Part C of the Official Plan

Item No.	Policy Number	Details of the Amendment
44	15.2.2	Revise: “On-street parking will be discouraged except on Local Roads, and where ...” by inserting: “and in the CBD,” between “Local Roads” and “where ...”.
45	15.2.3	Change “..., in such a manner as to be accessible to handicapped persons” to “..., in such a manner as to be accessible to persons with disabilities and older persons”.
46	15.3.9	<p>Add the following policy after the first paragraph:</p> <p>Where the bicycle route system is planned within the existing road network, the master plan shall identify cross sections that form the basis for capital investments in these roads, intended to ensure a “Complete Streets” network of roads in the Village.</p> <p>These cross sections will be designed to implement the policies of 15.3.11.</p>
47	15.3.13	<p>The following policy is added:</p> <p>The Village will support the use of bicycle parking facilities in new development and should consider incorporating specific reductions to vehicle parking standards where bicycle parking is provided. Any associated parking relief shall be addressed in the Zoning By-law.</p>
48	15.4	<p>The following new policy is added:</p> <p>The Village of Point Edward will continue to contribute to a public transit system that serves the needs of Village residents.</p>
49	16.1	<p>The following new policy is added:</p> <p>g) the setting up of facilities for operations in response to a state of emergency without being subject to Site Plan Control policies of this Plan.</p>
50	17.4	<p>Add the following new policy following the first paragraph:</p> <p><b>Land Use Compatibility</b></p> <p>Where appropriate, consideration may be given by the Village, at the Village’s sole discretion, to the use of the Class 4 designation classification, as provided for in the applicable Provincial environmental noise guideline (currently MECP Environmental Noise Guideline NPC-300) for a residential site (or sites).</p>

Item No.	Policy Number	Details of the Amendment
		<p>The area (or sites) to be affected must be approved by Council or the relevant approval authority.</p> <p>The use of Class 4 will only be considered by Council where it can be demonstrated that:</p> <ul style="list-style-type: none"> <li>a) the development proposal is for a new noise sensitive land use in proximity to an existing, lawfully established stationary noise source;</li> <li>b) the development proposal for a new noise sensitive use does not impair the long-term viability and operation of an employment use;</li> <li>c) it is in the strategic interest of the Village, furthers the objectives of the Official Plan and supports community building goals; and</li> <li>d) all possible measures of noise attenuation have been assessed for both the proposed development site and the stationary noise source, including, but not limited to, building design and siting options for the proposed new noise sensitive use;</li> </ul> <p>Notwithstanding the above, the use of Class 4 will receive more favourable consideration if the stationary noise source is a temporary situation and it is expected that the stationary noise source will be removed through future redevelopment.</p> <p>If Council supports the use of Class 4 for an area or site proposed for a new sensitive land use, proponents for noise sensitive land uses proposed in a Class 4 area shall, at a minimum, ensure that the following are addressed:</p> <ul style="list-style-type: none"> <li>1) Appropriate noise impact assessments are conducted to verify that the applicable sound level limits will be met;</li> <li>2) Noise control measures are completed or in place, including receptor and source-based measures, as may be required to ensure compliance with the applicable sound level limits at the new noise sensitive land use;</li> <li>3) Enter into appropriate agreements with the Village (and any other relevant approval agencies), to confirm all relevant requirements have been met; and</li> <li>4) Registration on title of any recommended noise mitigation measures, including appropriate noise warning clauses to notify prospective purchasers that applicable Class 4 (as per Guideline NPC-300) area sound level limits for the affected dwelling are protective of indoor areas and are based on the assumption of closed windows.</li> </ul>



Item No.	Policy Number	Details of the Amendment
51	17B.1	<p>The following policy is added:</p> <p>The Village will seek to implement the policies of this Section through public and municipal processes.</p>
52	17B.2	<p>The following policy is added:</p> <p>Alternative and renewable energy projects present unique land use compatibility concerns. Due to their prominence, alternative and renewable energy projects have the potential for significant impacts on the character of Point Edward. Site locations and site layouts must recognize the primary nature of existing land uses within the Village and must address impacts to sensitive neighbouring land uses, visual landscape, the natural environment, the waterfront and waterfront trail/access, and potential uses on neighbouring properties. Alternative and renewable energy projects shall only be permitted by a rezoning approved by Council. Projects that are approved through a rezoning shall also be subject Site Plan Control.</p>
53	17B.3	<p>The following policy is added:</p> <p>Project Assessment Criteria</p> <p>In assessing alternative and renewable energy projects, applications will be assessed on the basis of the following criteria:</p> <ul style="list-style-type: none"> <li>a) Potential noise and humming of any infrastructure;</li> <li>b) Visual impact including lighting, colouring, shadowing, and impacts on the Village's natural and built landscapes;</li> <li>c) Location of utility lines and any associated utility buildings, substations, and landscaping and screening of the lines and buildings;</li> <li>d) Impacts on the natural environment including but not limited to bird migration routes, significant natural areas, waterways, geotechnical issues;</li> <li>e) Impact on utilities, municipal infrastructure, roads, parks, and trails;</li> <li>f) Impacts to cultural and built heritage, archaeological resources and recreational areas;</li> <li>g) Impacts to the Village built environment during construction;</li> <li>h) Site safety including falling ice, wind tower collapse, fencing, markings, and climbing prevention of wind towers;</li> <li>i) Potential electromagnetic interference to communications infrastructure.</li> </ul>
54	17B.4	<p>The following policy is added:</p> <p>Complete Application</p>



Item No.	Policy Number	Details of the Amendment
		<p>The Village shall require the following for a complete application for an alternative or renewable energy project:</p> <ul style="list-style-type: none"> <li>a) Pre-consultation with the Village shall be required;</li> <li>b) Background reports as may be needed to determine potential impacts as identified in this Plan including but not limited to environmental evaluations, geotechnical studies, visual impact assessments, environmental impact studies, archaeological assessments, noise studies;</li> <li>c) An environmental management plan including site decommissioning and rehabilitation plans and such securities with a financial plan to ensure implementation of the decommissioning/remediation plan;</li> <li>d) An emergency response plan, construction plan, icing protocol for wind turbines, dispute resolution protocol and roads agreement;</li> <li>e) Specifications of products and materials (i.e. make, model, rated output, hub height, rotor diameter, foundation details, noise emission certification, etc.) and ancillary infrastructure;</li> <li>f) Details regarding electric infrastructure including location of utility lines within property, extent of upgrades and/or confirmation of grid capacity;</li> <li>g) Site layout including tower placement, pads for erecting tower, servicing, ground level lighting, fencing, landscaping, storage, access roads, easements, site grading and details regarding same;</li> <li>h) Proposed duration of project;</li> <li>i) Locations, setbacks, use and heights of all structures and communication and other towers within 500m of the project site;</li> <li>j) For wind turbines with a total height exceeding 45m, Transport Canada's requirements for lighting, colour and marking prior to wind turbine erection;</li> <li>k) St. Clair Region Conservation Authority approval of any culverts, structures, utilities, placing or removal of fill within areas designated as Areas Affected by Regulations (St. Clair Region Conservation Authority) in Appendix 4.</li> </ul>
55	17B.5	<p>The following policy is added:</p> <p>Aesthetic Guidelines</p> <p>The following policies shall be used as general aesthetic guidelines for larger alternative and renewable energy projects, and also to improve public familiarity with alternative and renewable energy:</p>

Item No.	Policy Number	Details of the Amendment
		<ul style="list-style-type: none"> <li>a) Alternative and renewable energy proponents shall work to use colours, lighting and design that soften visual impact;</li> <li>b) Where lighting or colouring that the Village considers unduly adverse to the visual amenity of the community is required as aircraft safety markings, towers should be prohibited or limited in height;</li> <li>c) Locations for public access and information signs, kiosks or visitors' centres should be provided and fencing and warning signs should be limited;</li> <li>d) Advertising should be prohibited on wind turbine towers excepting subtle manufacturers' logos;</li> <li>e) Access roads should be kept as inconspicuous as possible and/or reduced in standard following construction;</li> <li>f) Facilities on the ground should use motion sensor lighting;</li> <li>g) On-site power lines should be buried;</li> <li>h) Attention should be given to the building materials and design used for accessory buildings;</li> <li>i) In order to have wind turbines spinning as often as possible, turbines with lower cut-in wind speeds are encouraged and site plan agreements shall contain provisions that encourage minimized down-time; and</li> <li>j) The Site Plan Agreement shall provide for keeping turbines and surrounding grounds clean.</li> </ul>
56	17B.6	<p>The following policy is added:</p> <p>Small Scale Solar Energy</p> <ul style="list-style-type: none"> <li>a) Small scale solar panels that provide electricity for use on the same property shall be considered accessory uses.</li> <li>b) Roof mounted solar generating facilities will be encouraged subject to confirmation that the supporting structure is capable of bearing the weight.</li> </ul>



TABLE E – Amendments to Part D of the Official Plan

Item No.	Policy Number	Details of the Amendment
57	18	<p>1) Change “The Municipality also contains natural areas that ... must be protected with special provisions”. to “The Village also contains natural heritage features and areas that, combined with their functions and the corridors that connect them, are part of the County’s Natural Heritage System which is intended to be protected, restored, and where possible, improved”.</p> <p>2) Change “Development in these areas will be discouraged”. to: “Development in these areas will be prohibited, restricted, or discouraged, subject to the level of protection, enhancement, and restoration warranted for the affected feature within the County’s Natural Heritage System, as determined through the completion of appropriate studies, reviewed and approved by the relevant agency(ies)”.</p> <p>3) Add new paragraphs after the above noted modified paragraph:</p> <p><b>“Natural Heritage System</b></p> <p>The Village’s Natural Heritage System and associated policies are derived from the County’s Official Plan. The County Plan identifies a combination of significant natural areas, their functions, and the corridors that connect them but at this time, only Group C features are mapped in the Village. The County’s system includes:</p> <p>Group A features:</p> <ul style="list-style-type: none"> <li>• provincially significant wetlands</li> <li>• provincially significant coastal wetlands</li> <li>• locally significant wetlands</li> <li>• locally significant coastal wetlands</li> <li>• habitat of endangered species and threatened species</li> <li>• fish habitat</li> </ul> <p>Group B features:</p> <ul style="list-style-type: none"> <li>• lands adjacent to Group A features and adjacent to certain Group B features as noted in these policies</li> <li>• significant woodlands</li> <li>• significant valleylands</li> <li>• significant wildlife habitat</li> </ul>



Item No.	Policy Number	Details of the Amendment
		<ul style="list-style-type: none"> <li>provincially significant areas of natural and scientific interest (ANSIs)</li> <li>regionally significant ANSIs</li> </ul> <p>Group C features:</p> <ul style="list-style-type: none"> <li>lands adjacent to other Group B features</li> <li>primary corridors, including core areas</li> <li>linkage features</li> <li>highly vulnerable aquifers</li> <li>significant groundwater recharge areas</li> <li>other surface water features</li> <li>woodlots other than significant woodlands</li> <li>other significant natural areas, including shrublands, meadows and prairies</li> </ul> <p>These features can overlap and the habitat of endangered species and threatened species, fish habitat, and wildlife habitat are functions associated with the habitat features of wetlands, woodlands, ANSIs, valleylands, and watershed systems.</p> <p>When considering new land use planning applications in the Village, the following constraints apply:</p> <ul style="list-style-type: none"> <li>No Group A features are mapped but fish habitat is present along the shorelines of the Village. Point Edward may also contain habitat of endangered or threatened species. Where the County or Village have reason to believe that proposed development will be located in or adjacent to this habitat, development proponents will be notified by the County or Village of the requirement for due diligence under the Endangered Species Act, 2007 and its successors.</li> <li>No Group B features are mapped.</li> <li>Group C features are not intended to be construed as separate land use designations in this Plan. Consistent with the County's Official Plan, these areas may be used with the aim of improving the overall health of the natural heritage system including the improvement of linkages within corridors.</li> </ul> <p>The Group C corridor mapped on Schedule "D" of the Village's Plan serves as an informative layer that will be used to assess</p>

Item No.	Policy Number	Details of the Amendment
		opportunities to enhance the Natural Heritage System, particularly those areas impacted by 100 year floodlines”.
58	18.1.1	<p>Change “Some permitted uses may be restricted if located within or adjacent to defined Wetlands, Areas of Natural or Scientific Interest (ANSI’s), and Environmentally sensitive Areas (ESA’s), as identified by the Province, the County, the Municipality, or the St. Clair Region Conservation Authority” to:</p> <p>“... may be prohibited or restricted if located within or adjacent to Significant Wetlands, Significant Coastal Wetlands, Significant Woodlands, and Significant Areas of Natural and Scientific Interest (ANSI’s)”.</p>
59	18.1.1	<p>The following new policy is added as the second paragraph:</p> <p>(a) Development and site alteration shall not be permitted within significant wetlands or significant coastal wetlands. Development and site alteration in fish habitat or the habitat of endangered species or threatened species shall not be permitted except in accordance with provincial and federal requirements”.</p> <p>Add third paragraph:</p> <p>(b) Development and site alteration shall not be permitted within significant woodlands, significant valleylands, significant wildlife habitat, significant areas of natural and scientific interest, unless it has been demonstrated through an Environmental Impact Study (EIS), that there will be no negative impacts on the natural features or their ecological functions.</p> <p>Add fourth paragraph:</p> <p>(c) Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 18.1.1 (a) and (b) unless the ecological functions of the adjacent lands has been evaluated and it has been demonstrated through an EIS., that there will be no negative impacts on the natural features or on their ecological functions”.</p> <p>Add fifth paragraph:</p> <p>“(d) Infrastructure may be permitted in accordance with applicable federal and provincial legislation.</p> <p>Add sixth paragraph:</p>