

# St. Clair – Major Policy Updates

The Township’s Official Plan Update is a conformance review to address legislative changes. This Official Plan Update focused on policies for housing, employment, short-term vacation rental units, agriculture, cultural heritage, natural heritage, day care centres, cannabis, parkland dedication, green energy and urban design.

PART B LAND USE POLICIES			
Policy	Current OP	New OP Policies	What is Driving the Change?
Agriculture	The Current OP has an Agricultural section that includes policies addressing the range of uses permitted within the agricultural area, lot sizes and new farm lots.	New policies are being added to address the following: <ul style="list-style-type: none"> <li>• Surplus farm dwellings</li> <li>• Agri-tourism uses</li> <li>• Additional residential units within existing single detached dwelling or existing accessory farm building</li> <li>• On-farm diversified uses</li> </ul>	PPS, County Official Plan
Housing	The Current OP has a Residential section that includes housing policies such as addressing affordable housing, housing mixes and special residential uses.	New Policies are being added to address the following: <ul style="list-style-type: none"> <li>• Expand housing choices</li> <li>• Commit to the provision of Affordable Housing</li> <li>• Additional Dwelling Units (ADUs)</li> </ul>	PPS, County Official Plan, <i>More Homes Built Faster Act (2022)</i>
Employment	The Current OP includes policies establishing a	New Policies are being added to address the following:	PPS, County Official Plan

	commercial and industrial hierarchy to support job growth and economic investment.	<ul style="list-style-type: none"> <li>• Supporting economic growth</li> <li>• Central Commercial Areas</li> <li>• Employment Sectors</li> <li>• Protecting Employment Lands</li> </ul>	
Short Term Vacation Rental Units (STVRs)	The Current OP does not include any policies addressing short-term vacation rental units	New policies are being added to manage the use and operation of STVRs to ensure compatibility with surrounding land uses.	Emerging Issues
Day Care Centres	The Current OP does not include any policies addressing day-care centers	New policies are being added to address where day care centers are permitted and how they are designed	County Initiative
Cannabis	The Current OP does not include any land use policies addressing cannabis	New policies are being added to address the following: <ul style="list-style-type: none"> <li>• Defining “cannabis production facility”</li> <li>• Where cannabis production facilities are permitted and/or prohibited and related requirements</li> <li>• Outdoor cultivation and processing of cannabis</li> </ul>	Emerging Issues
Park Land Dedication	The current OP includes policies addressing parkland dedication	New policies are being added to address the following: <ul style="list-style-type: none"> <li>• Parkland dedication for residential development/redevelopment</li> <li>• Parkland dedication for industrial or commercial development/redevelopment</li> </ul>	<i>More Homes Built Faster Act (2022), The COVID-19 Economic Recovery Act (2020)</i>

**PART C MUNICIPAL SERVICES AND UTILITIES**

Policy	Current OP	New OP Policies	What is Driving the Change?
Green Energy	The current OP does not contain any policies addressing green energy	New policies are being added to address the following: <ul style="list-style-type: none"> <li>• Rezoning required for green energy projects and related and applicable studies</li> <li>• Wind and solar energy</li> </ul>	Emerging Issues, Planning Act
Natural Heritage System	The current OP has a Natural Heritage section that includes policies addressing hazard and environmental protection	New policies are being added to address the following: <ul style="list-style-type: none"> <li>• Policies to protect and improve Group A and Group B features,</li> <li>• To identify and protect Group C features</li> </ul>	County OP

**PART D COMMUNITY DEVELOPMENT**

Policy	Current OP	New OP Policies	What is Driving the Change?
Cultural Heritage	The current OP has a Cultural Heritage Section that includes policies addressing cultural and built heritage.	New policies and updates are being added to address the updates to the Ontario Heritage Act and the Provincial Policy Statement	Ontario Heritage Act, PPS

Urban Design	The current OP has an Urban Design section that includes policies encouraging the highest quality in design and amenities	New Policies are being added to address the following: <ul style="list-style-type: none"> <li>• Promote a safe, walkable and accessible built environment</li> <li>• Promote attractive streetscapes and connectivity</li> <li>• Design of “Commercial and Employment Areas” and “Neighborhoods”</li> </ul>	Best Practices
--------------	---	---	----------------

\*See Appendix A for Policy excerpts.

## Appendix A

### Agriculture

Policies regarding on-farm diversified uses, agri-tourism, ADUs, and surplus farm dwellings.

Part B - 1.2 a)

On-farm diversified uses that are secondary to the principal agricultural use of the property and are limited in area. Such uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Part B - 1.2 b)

Agriculture-related uses that are farm-related commercial and farm-related industrial uses directly related to farm operations in the area, that 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.

Part B - 1.4

The minimum lot size for agricultural uses will generally be 30 hectares in order to discourage the unwarranted fragmentation of farmland.

Part B - 1.

On-farm diversified uses will be strongly encouraged in order to provide farmers greater opportunity to obtain additional sources of income and to promote entrepreneurship, innovation, and business incubation.

1.19 Agri-tourism uses mean farm-related tourism and commercial uses associated with and sited on a functioning farm operation or associated with a value-added business and conforming with Section 6.1.8 of the County of Lambton Official Plan. The Zoning By-law shall be updated to implement these uses.

## Housing

Policies to provide greater housing choice, commit to provision of affordable housing, and facilitate additional dwelling units (ADUs).

#### Part B - 2.1.1

a)

The primary residential uses permitted within the “Residential” designation are low density housing types, not exceeding 25 units per hectare (10 units per residential acre), including single and semi-detached dwellings, duplexes, and triplexes, including building conversions to such uses as well as temporary garden suites.

b)

For the purposes of this Plan, residential density shall exclude any lands determined to be undevelopable due to natural hazards (e.g. Floodplain and steep slopes) but should include planned roads (public and private) and developable open space and amenity areas (common and private).

#### Part B - 2.2.3

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. Creation of four lots or greater should be done by plan of subdivision. Such development may also be subject to site plan control. Redevelopment of lands to create higher residential densities or to remove existing obsolete uses will be encouraged if such redevelopment is compatible with the existing physical character and pattern of surrounding development.

#### Part B - 2.2.13

Efforts should be made to encourage the provision of affordable housing in the Township of St. Clair, where practical. In this regard, the Township of St. Clair will assist the private sector by:

c)

encouraging residential intensification where practical. The Township will consider ways in which to encourage affordable housing through the utilization of existing housing stock and intensification of existing residential areas. Owners of surplus housing stock, including farmhouses, will be encouraged to consider the potential for conversion to affordable housing rather than demolition; and

#### Part B - 2.2.17

Special Residential uses will be subject to the following policies:

Group homes shall be permitted in any residential area. The types of group homes which are permitted include:

- i. Approved homes;
- ii. Homes for special care;
- iii. Supportive housing programs;
- iv. Accommodation for youth and adult mental health programs;
- v. Accommodation services for individuals with a developmental disability;
- vi. Satellite residences for seniors; and,
- vii. Homes for individuals who have physical disabilities.

#### Part B - 2.2.21

Notwithstanding any other policy in this Plan, the use of 'additional dwelling units' is authorized in accordance with the *Planning Act* and its associated regulations, by permitting the following:

- i. the use of two residential units in a detached house, semi-detached house or rowhouse; and
- ii. the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse.

## Employment

Policies to support economic growth, Central Commercial Areas, and identified employment sectors, while protecting employment lands.

#### Part B 7.6

The Central Commercial Area development built form will typically be a grouping of retail and other commercial uses under common or individual ownership. The preferred form of development within the Central Commercial Area is for retail and office uses at grade with residential uses locating on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

7.6.1 Proposals for development of new or peripheral shopping areas will demonstrate that the viability of existing mainstreets and Central Commercial areas will not be threatened. Existing mainstreets and Central Commercial areas should be given first priority for development or redevelopment for commercial purposes.

- 7.6.2
- a) The Township encourages the development of its mainstreets and Central Commercial areas in a way that fosters activities associated with a creative economy and strengthens these areas as cultural nodes;
  - b) Where feasible and the opportunity exists, mainstreets and Central Commercial areas will be connected to natural heritage systems;
  - c) The Township will promote activities and events in the areas around mainstreets and Central Commercial areas in a manner that does not detract from the viability of these areas;
  - d) Wherever feasible, heritage buildings and structures will be conserved, and any new development will complement the cultural heritage landscape of the mainstreet or Central Commercial area;
  - e) The Township encourages tourism and leisure related activities to be located on mainstreets and Central Commercial areas;
  - f) The Township encourages the renovation of second and third floor spaces in older Central Commercial buildings for such uses as apartments, studios, and professional offices; and,



a) The revitalization strategies must conform with Section 6.6 of the County Plan.

7.6.3 All new development within Central Commercial Areas shall be subject to Site Plan Control. In addition, the implementing Zoning By-law shall contain provisions relating to building siting, location and massing to implement the urban design policies of this Official Plan.

Part B - 10.1 The Township will ensure that the physical needs of businesses are addressed, which includes ensuring that:

- a) a diversity of zoned and serviced sites is available to support a range of industrial activities;
- b) the sites are well designed and have a high level of available amenities, including access to major transportation routes that are attractive to new investors.

Part B

10.4.61 The Township may permit the conversion of lands within an employment use or Industrial designation to another type of land use only through a municipal comprehensive review, as stipulated in Part E of this Plan and the County of Lambton Official Plan, that reflects County of Lambton's employment growth projections, allocations and intensification and density targets by the County Plan where it has been demonstrated that:

- a) There is a need for the conversion;
- b) The conversion will not adversely affect the overall viability of the Township's Employment Areas and the achievement of the intensification target, density targets and other Policies of this Plan;
- c) There is existing, or planned, infrastructure in place to accommodate the proposed use;
- d) The lands are not required, over the long term, for employment or industrial purposes for which they are designated.

Major retail uses are considered to be non-employment uses and are not permitted in Employment Areas.

## Short-Term Vacation Rental Units (STVRs) – New Section

Policies for managing appropriate use and operation of STVRs to ensure compatibility.

#### Part B 2.3.3.1

The Township 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 Township's residential areas, providing for the continued availability of suitable short-term accommodations in the community.

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 generally be subject to the same land use policies as those permitted in residential areas and shall be subject to the same licensing requirements.

#### Goals and Objectives for Short-Term Vacation Rentals:

The Township's goals and objectives related to Short-Term Vacation Rentals (STVRs) are as follows:

- b) STVRs shall generally 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;
- c) All roads used to access lots with an STVR shall be of sound construction and conform to the Township's road design standards;
- d) Guests shall be provided with accommodations conforming to current health and life safety standards;
- e) Facilities will be operated and maintained in acceptable conditions as detailed in the Township's relevant By-laws; and
- f) Operators of STVRs shall acknowledge their responsibilities in complying with the Township's by-laws and licensing provisions.

#### Policies:

- 1) The Township may, on an area-specific or case-by-case basis, prohibit STVRs in areas that are not considered to be consistent with this Plan;
- 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; Guest rooms shall only be available for temporary, short term accommodation to the general public;
- 3) Subject to any other requirements of the zoning or licensing by-law, STVRs shall generally 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;
- 4) 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;
- 5) 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;
- 6) Special provisions applicable to Bed and Breakfast Establishments include:
  - i. Separate kitchen or dining areas for guests may be provided. Establishment of a restaurant catering to persons other than guests shall not be permitted;
  - ii. Only persons permanently residing in the dwelling shall operate a Bed and Breakfast Establishment; and
  - iii. Construction or conversion of buildings accessory to the home to accommodate guests shall not be permitted.

## Day Care Centres

### Part B - 18 USES PERMITTED IN ALL DESIGNATIONS

#### 1 Day Care Centres

- a) Day Care Centres shall be permitted on all school sites.
- b) Day Care Centres shall be permitted within a Place of Worship or other place of public assembly, a commercial place of employment, a community centre, all residential designations, institutional designations, and subject to provincial licensing policies.
- c) Day Care Centres in an industrial place of employment shall not be permitted as a stand-alone use.

Day Care Centres shall be designed to provide appropriate facilities for parking, pick-up and drop-off areas. Appropriately located and screened play areas shall be provided.

- d) Day Care Centres shall not be located within Natural Hazards and should not be located in lands identified as Category A Natural Heritage Features unless an Environmental Impact Study establishes the appropriate location for the Day Care Centre on the proposed site.

## Cannabis

### Part B - 17 CANNABIS

**17.1** 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. Medical Marijuana policies are governed by Section 10.4.5 of this Plan.

**17.2** Cannabis production facilities may be permitted in the following land use designations subject to the policies of this Plan:

- a) Agricultural
- b) Type Two Industrial
- c) Type Three Industrial

Cannabis production facilities within all other land use designations, except the Agricultural Area in accordance with Policy 17.3 and 17.4, are prohibited.

**17.3** Within the land use designations specified in Section 17.2 b) and c) of this Plan, a cannabis production facility shall require a rezoning application and a Site Plan application to be approved by Council. Both the rezoning application and Site Plan shall address the following:

- a) Conformity with the Province of Ontario's Sensitive Land Use Guidelines ("D-6") as amended from time to time;
- b) Noise, odour, and wind through studies prepared by a qualified professional;
- c) Photometric analysis including studies of night light and impacts prepared by a qualified professional;
- d) Servicing including stormwater management;
- e) Security plan and site design for security;
- f) Waste management plan;

g) Mitigation plan including mitigation for sensitive land uses.

**17.4** For lands designated “Agricultural Area” a cannabis production facility may be permitted in a building and shall require a rezoning application and a Site Plan application to be approved by Council. Both the rezoning application and the Site Plan application shall address the following:

- a) Conformity with the Province of Ontario’s Sensitive Land Use Guidelines (“D-6”) as amended from time to time;
- b) Conformity with the Province of Ontario’s Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas;
- c) Minimum Distance Separation Analysis;
- d) Noise, odour, and wind through studies prepared by a qualified professional;
- e) Photometric analysis including studies of night light and impacts prepared by a qualified professional;
- f) Servicing including stormwater management;
- g) Security plan and site design for security;
- h) Waste management plan;
- i) Mitigation plan including mitigation for sensitive land uses.

**17.5** A cannabis production facility is defined as an indoor facility in accordance with Policy 17.1 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. Outdoor cultivation and processing may be considered only in the Agricultural Area and no other land use designation. Applications for outdoor cultivation and processing shall address the requirements of Policy 17.5 of this Plan.”

## Parkland Dedication

### Part B - 15.1.5

Public open space will generally be acquired through the dedication of lands or the payment of funds pursuant to the provisions of the Planning Act, and will be provided in accordance with the following policies that will be applied throughout the entire Township of St. Clair:

- a) As a condition of residential development or redevelopment conveyance of land to the Township for park purposes will be required at a rate of 5 per cent of the land proposed for development or 1 hectare per 600 dwelling units or cash-in-lieu provisions to a maximum of 10 per cent of the land or the value of the land if the developable land is five hectares or less in area or 15 per cent of the land or the value of the land if the developable land is greater than five hectares in area);
  
- b) As a condition of industrial and commercial development or redevelopment, the conveyance of land to the Township of St. Clair for park purposes will be required at a rate of 2 per cent of the land proposed for the development to the Township of St. Clair for park purposes, or cash in lieu thereof.

## Green Energy

### **Part C - 4.1 GREEN ENERGY**

The Township is committed to the wise and efficient use of energy and the establishment of green energy sources that will protect the interests of future generations of citizens, such as alternative energy systems and renewable energy systems. The benefits that may be realized from using such systems should be balanced with a consideration for their compatibility with the natural environment and surrounding land uses.

#### **4.1.1 Green Energy Objectives**

- a) To support and maximize the use of green energy systems and/or renewable energy systems such as wind, solar, geothermal or other clean technologies in appropriate locations and reduce the use of non-renewable energy sources.
- b) To promote energy conservation and a reduction in energy consumption within the built environment.

#### **4.1.2 Green Energy Policies**

- a) Energy that is produced by a green energy system or renewable energy system will generally be preferred over conventional forms of energy production, subject to potential negative impacts being mitigated.
- b) The Township will encourage proposals for alternative energy systems and renewable energy systems at appropriate scales in accordance with provincial and federal requirements, which are compatible with surrounding existing and proposed land uses and the environment



c) Green energy systems and/or renewable energy systems will be subject to studies to demonstrate, to the satisfaction of the Township, how potential adverse effects, on existing or proposed development with regard to the natural heritage system, noise, dust, vibration, plume, air quality, cultural heritage resources, views and vistas, shadows, land use compatibility, public health and safety, risk, and soils stability and water quality and quantity will be mitigated.

d) New or expanded renewable energy systems should be designed and constructed to minimize impacts on adjacent land uses in order to prevent adverse impacts from odours, noise and other contaminants and minimize risk to public health and safety.

e) Alternative and renewable energy systems will be regulated through the implementing Zoning By-Law in a manner that minimizes their impact on the visual and environmental features of the Township.

#### **4.1.3 District Energy**

The Township supports district energy systems as an efficient method of supplying heating, cooling and electricity to buildings.

#### **4.2 Wind Energy**

- a) Large scale wind turbines shall be directed to lands within Prime Agricultural and Rural Area designations in order to reduce the potential for land use conflicts in Settlement Areas.
- b) Small scale wind turbines may be permitted in all land use designations.
  - Wind turbines of all sizes will be encouraged subject to confirmation that the supporting structure is capable of bearing the weight.

#### **4.3 Solar Energy**

- a) Ground mounted solar renewable energy facilities of up to 10 kilowatts are permitted in prime agricultural areas as an on-farm diversified use. Facilities in excess of 10 kilowatts shall not be located in prime agricultural areas.
- b) Small scale solar panels that provide electricity for use on the same property will be considered accessory uses. c) Roof mounted solar generating facilities of all sizes will be encouraged subject to confirmation that the supporting structure is capable of bearing the weight.

## Natural Heritage System

Policies to protect and improve Group A and Group B features, to identify and protect Group C features, and conform with the County's Official Plan.

### 16.1 General Policies

#### Natural Heritage System

The Township of St. Clair's Natural Heritage System is a combination of significant natural areas, their functions, and the corridors that connect them. The system includes:

Group A features:

- provincially significant wetlands
- provincially significant coastal wetlands
- locally significant wetlands
- locally significant coastal wetlands
- habitat of endangered species and threatened species
- fish habitat

Group B features:

- lands adjacent to Group A features and adjacent to certain Group B features as noted in these policies
- significant woodlands
- significant valleylands
- significant wildlife habitat
- provincially significant areas of natural and scientific interest (ANSIs)
- regionally significant ANSIs

Group C features:

- lands adjacent to other Group B features
- primary corridors, including core areas
- linkage features
- highly vulnerable aquifers
- significant groundwater recharge areas
- other surface water features
- woodlots other than significant woodlands
- other significant natural areas, including shrublands, meadows and prairies

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.

When considering new land use planning applications, the following shall apply:

- For Group A features, no development or site alteration is permitted, except that in the case of fish habitat and habitat of endangered species or threatened species, development may be permitted in accordance with provincial and federal requirements, and infrastructure may also be permitted in some circumstances in accordance with applicable legislation and regulations:
- For Group B features, development may be permitted if it can be demonstrated through an Environmental Impact Study that no negative impacts on the features or their associated ecological functions will result;
- For Group C features, the policies of this Plan provide general controls on development with the aim of improving the overall health of the natural heritage system including the improvement of linkages within corridors.

The features of the Township's Natural Heritage System are identified on Schedule B, Parts 1-16.

The Natural Heritage System identified on Schedule B , Parts 1-16, or otherwise identified by the policies of this Plan are to be considered as overlays to the designations on Schedule A , Parts 1-16, in this Plan. Despite the designation that lands may have in Schedule A, Parts 1-16, of this Plan, development of lands will be generally directed away from the Natural Heritage System and/or subject to such evaluations or conditions as required by the policies of this Plan and the County Official Plan.

Some natural heritage features are not identified on Schedule B, Parts 1-16, that are otherwise identified by the policies of this Plan. These include natural heritage features that require further work to identify, constitute sensitive information that cannot be displayed, or are too small or numerous to be specifically identified on Schedule B, Parts 1-16.

## Cultural Heritage

Policies reflect updates to the Ontario Heritage Act and the Provincial Policy Statement.

### Part D - 1 **CULTURAL HERITAGE**

Cultural Heritage resources include archaeological resources, built heritage resources and cultural heritage landscapes. More specifically,

- Archaeological resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*.
- Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.
- Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Significant built heritage and cultural heritage landscapes are those that have been determined to have cultural heritage value or interest, through any of the following means:

- Designation under Parts IV or V of the *Ontario Heritage Act*; or
- Protected through official plan, zoning by-law, or other land use planning mechanisms.

- 1.a.4 St. Clair Township will prepare and maintain comprehensive inventories of significant heritage resources, including significant built heritage and cultural heritage landscapes, as a basic tool for identifying and conserving these resources.
- 1.a.5 St. Clair Township will designate properties that meet criteria for determining Cultural Heritage Value or Interest (O. Reg 9/06) under the *Ontario Heritage Act*. While it is the intent of the municipality to work collaboratively with landowners in conserving properties of Cultural Heritage Value or Interest, there may be instances in which landowners may not consent to the designation of their respective property. Council will act in the public interest to conserve and designate properties of Cultural Heritage Value or Interest despite objections by their owners.
- 1.a.6 If St. Clair Township intends to designate a property to be of cultural heritage value or interest, the Clerk shall issue notice of intention to designate in accordance with requirements and limitations established under the *Ontario Heritage Act*.
- 1.a.7 Any Planning Application related to lands designated or within 50 metres of lands designated under the *Ontario Heritage Act* shall be accompanied by a Heritage Impact Assessment. The Heritage Impact Assessment shall be prepared by a qualified heritage professional in accordance with technical guidance included in the Ontario Heritage Toolkit.
- 1.a.8 If a property has not been designated under the Ontario Heritage Act but has been included in the Municipal Register, the owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives Council at least 60 days' notice in writing of the Owner's intention to demolish or remove the building or structure or to permit the demolition or removal of the building or structure. Notice to demolish a building or structure on the Municipal Register shall be accompanied by such plans and information that the Council may require to make a decision on the matter, and may include but not be limited to:
  - a) primary and secondary research, visual inspection, and evaluation against prescribed criteria for determining Cultural Heritage Value or Interest prepared by a qualified heritage consultant (Ontario Regulation 9/06), and,
  - b) architectural plans pertaining to the replacement building or structure.
- 1.a.9 If following a request for demolition, a property has been found to meet prescribed criteria for determining Cultural Heritage Value or Interest (Ontario Regulation 9/06), the Council of St. Clair Township may issue notice of intention to designate the property, thereby, causing the request for demolition to be void.
- 1.a.10 An evaluation against prescribed criteria for determining Cultural Heritage Value or Interest prepared by a qualified heritage consultant (Ontario Regulation 9/06), shall accompany a Planning Application that pertains to a property listed on the Municipal

Register. If the property has been found to meet prescribed criteria, the proponent shall provide a Heritage Impact Assessment, prepared by a qualified heritage professional, in support of the Planning Application in accordance with technical guidance included in the Ontario Heritage Toolkit.

- 1.a.11 A Conservation Plan may be required in accordance with recommendations contained within a Heritage Impact Assessment, to be provided as a condition of approval of a Planning Application detailing how a cultural heritage resources can be conserved. The Conservation Plan shall be prepared by a qualified heritage professional in accordance with technical guidance included in the Ontario Heritage Toolkit. The recommendations of the Conservation Plan should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures. St. Clair Township may enter into a development agreement to ensure the implementation of recommendations included in a Conservation Plan.
- 1.a.12 In reviewing proposals for the construction, demolition, or removal of buildings and structures or the alteration of existing buildings, St. Clair Township shall be guided by the following general principles where there is potential to impact any cultural heritage resources:
  - a) St. Clair Township shall encourage the adaptive reuse of heritage properties. Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained, repaired, or restored rather than replaced.
  - b) New additions and features should be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the principle façade.
  - c) New construction and/or infilling should be compatible with surrounding buildings and streetscapes by being of the same height, width and orientation as adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape.
- 1.a.13 St. Clair Township may develop financial incentive programs and other efforts that promote private investment in preserving physical cultural heritage (archaeological, built heritage, and cultural heritage landscapes) resources and in improving cultural nodes.
- 1.a.14 Consistent with the PPS, development, site alteration, including construction of infrastructure and public service facilities on lands containing archaeological resources or areas of archaeological potential, including marine archaeological sites, are permitted only if the significant archaeological resources have been conserved in a manner that ensures their cultural heritage value or interest is retained. This shall be achieved by the implementation of recommendations set out in an archaeological assessment. To address development impacts on an archaeological site with a level of cultural heritage value or interest that has been determined to require mitigation, there are two approaches for mitigation of development impacts:

- a) avoidance and protection
- b) excavation

1.a.15 Avoidance and protection preserves archaeological sites intact. It is the preferred option for the mitigation of impacts to archaeological sites. Avoidance and protection are most viable when the cultural heritage value or interest of the archaeological site is determined early in the planning stages of the development, when plans are most flexible.

## Urban Design

Policies to promote attractive streetscapes; safe, walkable, and accessible built environment; and conservation of heritage buildings.

### Part D - 3 **URBAN DESIGN**

#### high quality design

#### **3.1 Introduction**

The following policies shall apply, as appropriate, to all development requiring a *Planning Act* approval. Additional policies for certain areas of the Township are contained within the appropriate sections of this Plan containing the land use designations.

#### **3.2 Safety**

Personal safety for individuals shall be provided in new developments through the provision of:

- a) Appropriate lighting, visibility and opportunities for public surveillance for parking lots, walkways, parking garages and open space areas;
- b) Unobstructed views into parks and open spaces from adjoining streets;

- c) Design and siting of new buildings shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open space;
- d) Views into and out of publicly accessible buildings shall be encouraged; and,
- e) Landscaping that maintains views for safety and surveillance.

### **3.3 Barrier-free Access**

- a) Barrier-free access for persons using walking or mobility aids shall be provided in all public and publicly accessible buildings and facilities and along major pedestrian routes, in compliance with the *Accessibility for Ontarians with Disabilities Act (AODA)* and with reference to the Integrated Accessibility Standards Regulation (IASR). Such barrier-free access features may include level surfaces, ramps and curb cuts, railings, automatic door openers and rest areas.
- b) Barrier-free features shall be integrated with the functional and design components of the site and/or buildings.

### **1.4 Streetscapes**

- a) An integrated design and treatment of streetscape features shall be promoted throughout the Township. Specialized streetscape designs and treatments may be adopted for particular areas of the Town.
- b) Streetscape features and sustainable design elements located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters, above ground infrastructure, signage and street furniture shall be complementary in their design and located in an integrated manner, so as to avoid visual clutter.
- c) Sidewalks shall be installed along streets onto which properties front



