

DRAFT FOR DISCUSSION



Town of LaSalle

HOWARD BOUFFARD

Official Plan Amendment and Secondary Plan

August 2024 • **DRAFT**



Town of LaSalle - Howard Bouffard Secondary Plan
 DRAFT FOR DISCUSSION - August 23, 2024

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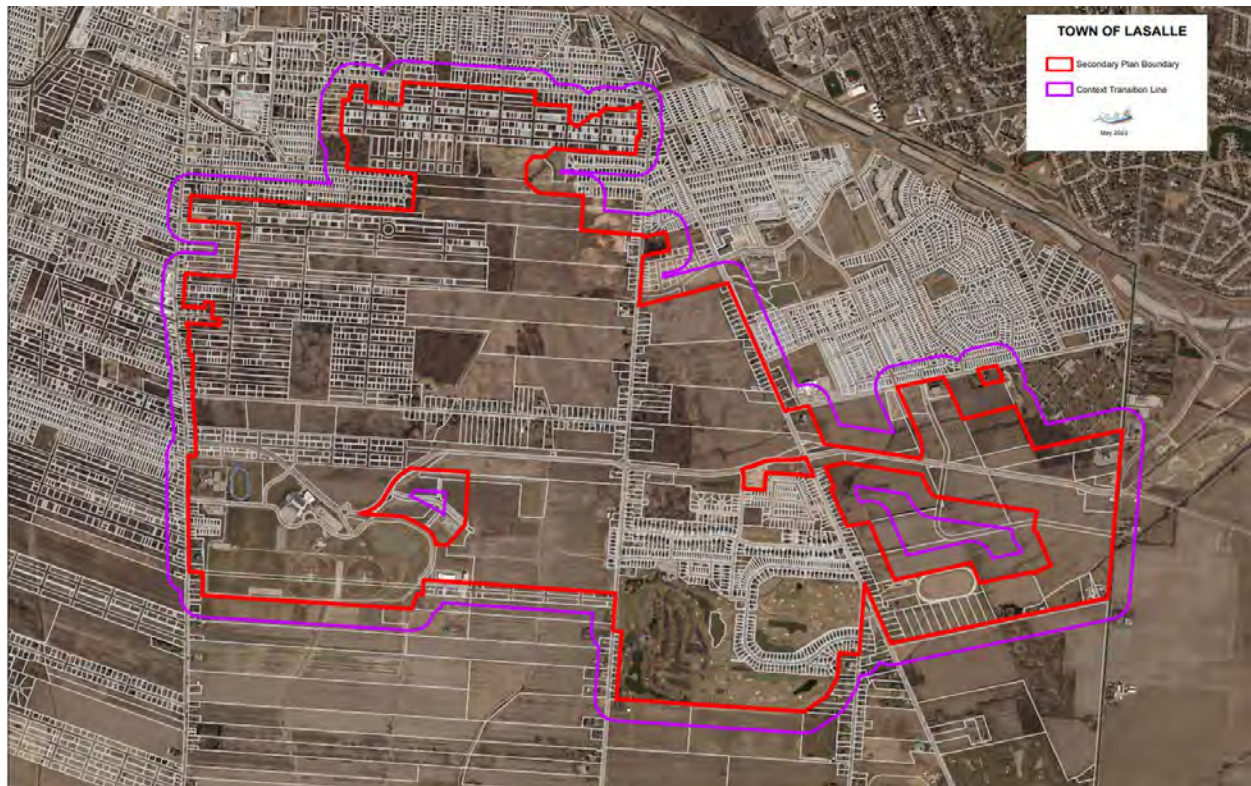
LAND ACKNOWLEDGEMENT

We acknowledge that the ground on which we live is the Traditional territory of Caldwell First Nation; of the Three Fires Confederacy and the original people of Point Pelee and Pelee Island and its surrounding lands and waters, and that of the Huron-Wendat and Wyandot Peoples. We recognize and respect the First Nations who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge the contributions of other nearby First Nation communities and all Original People across Turtle Island.

PART A: THE PREAMBLE

Location/Context

The Howard Bouffard Secondary Plan Area is generally bounded by Normandy Street to the north, Howard Avenue to the east, Laurier Parkway to the south, and Malden Road to the west, as identified on the Map below:



Howard Bouffard consists of approximately 940 hectares of land, and includes a number of existing uses including residential neighbourhoods, the Vollmer Centre, the Sandwich Secondary School and the Seven Lakes Golf Course. Howard Bouffard also includes a substantial network of significant natural heritage features including woodlands, wetlands, wildlife habitat, fish habitat, habitat for endangered and threatened species, hazard lands and other locally important natural features and areas.

Background

In November 2002 a Secondary Plan was prepared and adopted by the Town for the Howard Bouffard Secondary Plan Area, as it was configured at that time. That Secondary Plan established land use goals and policies, as well as appropriate land use designations for properties within Howard Bouffard. For reasons primarily related to the implementation of adequate stormwater management and a proper functioning outlet, development anticipated by the previously adopted Secondary Plan was put on hold, until such time as the Howard Bouffard Master Drainage Study was completed. In addition, in 2018, the Town's new Official Plan was approved by the County of Essex which, in essence, replaced the former Official Plan, and rescinded the previously adopted Howard Bouffard Secondary Plan.

The Howard Bouffard Master Drainage Environmental Assessment recommends a design alternative - the Master Drainage Solution, including the identification of the improved ultimate storm outlet, affecting some parts of Howard Bouffard. Recently, Council has also expressed interest in wanting to move forward with the Environmental Assessment Process for the extension of Sandwich West Parkway/Reaume Road recommended as part of the Town's overall Master Transportation Study. With these two elements now taking shape, it is an appropriate time to prepare a new and updated version of the Secondary Plan for Howard Bouffard.

The Value of Comprehensive Planning

Comprehensive planning is a crucial consideration when considering significant development opportunities over a large geographic area, such as Howard Bouffard. Comprehensive planning supports the consideration of contextual implications of development on the achievement of the long-term vision for the Town and the affected lands, as well as the fundamental planning principles established to achieve that vision. Importantly, comprehensive planning is intended to ensure that:

- > The pattern of development, including building heights, building articulation/massing and mixture of land uses is established to ensure no undue adverse impacts on adjacent properties both within, and outside of the boundaries of Howard Bouffard;
- > There are appropriate and integrated Park Space and Active Transportation Networks that include an array of publicly accessible parks and open spaces, that are connected by the public sidewalk system, bicycle/micro-mobility facilities and a robust trails network;
- > There are adequate and accessible public service facilities including the Vollmer Centre, new elementary schools and other educational and cultural opportunities embedded within the buildings and spaces throughout the community;

- > There is a primary street and block pattern that supports appropriate forms of development throughout Howard Bouffard. The street and block pattern must be efficient, well connected and flexible to accommodate adequate access to development and the accommodation of various modes of transportation; and
- > That there is a direct and quantifiable link between the approval of development and the ability of the Town to provide appropriate municipal service infrastructure and transportation system capacity - including an understanding of what improvements may be required to enhance capacity and how and when those improvements will be delivered.

Six Fundamental Principles

The Town's Official Plan promotes LaSalle as a healthy, vibrant and successful community. In support of that objective, the Town's Official Plan articulates six fundamental planning principles that formed the foundation of the Howard Bouffard Secondary Plan:

- > **Principle 1: A Complete Community** - The principle of a complete community requires that the Town be able to meet people's needs for daily living throughout their entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, public service facilities and a robust parks and open space system. Convenient access to public transit and options for active transportation are crucial elements of a complete community;
- > **Principle 2: A Viable Community** - The principle of being a viable community is to actively support economic development initiatives that create a full range of employment opportunities and to ensure that development is efficient and cost-effective. In planning for a viable community, there is inherent flexibility to allow new development to respond to the market-place over time, and to intensify over time;
- > **Principle 3: A Beautiful and High Quality Community** - The principle of being a beautiful and high quality community promotes a sense of pride as a place to live and a sense of stewardship in its long-term care and maintenance. Crucial to a beautiful and high-quality community is the attention to the inter-play among built form, the public realm and the natural environment;
- > **Principle 4: A Healthy Community** - The principle of being a healthy community consciously seeks to improve the health of its citizens by putting public health high on the social and political agenda. Physical, social and mental well-being are the necessary components of public health, including access to healthy food, clean air and water and opportunities for physical activity. The built environment should be designed to create opportunities that encourage residents to be physically active and socially engaged;
- > **Principle 5: A Sustainable Community** - Policies that implement the principle of sustainability will lead to safer, more active, healthier, financially prosperous and resource conscious communities. A sustainable community will also help to meet the challenges of climate change, and other environmental issues through integrated solutions rather than through fragmented, incremental approaches that meet one objective at the expense of the others. Integrating the principle of sustainability helps the Town to manage its human, natural and financial resources equitably and takes a long-term view – one that is focused on both present and future generations; and

- > **Principle 6: A Resilient Community** - Policies that implement the principle of resiliency will lead to a community that can respond to emergencies because it has a plan in place. A resilient community will also help to meet the challenges of climate change by recognizing the impact of change on municipal service infrastructure with a focus on stormwater management. Integrating the principle of resiliency helps the Town ensure access to power, food, water and health care, while emergency services are equipped to operate and provide assistance in all conditions.

In addition to those fundamental principles, the Town's Official Plan, in Chapter 2 - Growth Management outlines an approach and strategy for managing growth within the municipality. More specifically, guidance is established for the review and consideration of new development applications within Howard Bouffard. The Town's Official Plan, in Chapter 2 states that growth shall occur in a comprehensive, logical, efficient, and fiscally responsible manner. Primary factors to consider through the review of applications for new development include:

- > The integration of new development within the planned community structure, resulting in a highly inter-connected, compact and walkable/bikeable urban form;
- > The provision of adequate municipal infrastructure, parks and other community facilities and services to accommodate the proposed growth in a cost-efficient manner;
- > The provision of appropriate transportation facilities (including active transportation infrastructure), and the availability of adequate capacity on the existing and planned road network; and
- > The appropriate protection of the Natural Heritage System and its associated ecological functions.

This guidance was instructive in developing the new planning policy framework applicable within Howard Bouffard. Policies provided in Chapter 2 of the Town's Official Plan are fully considered and implemented within the Howard Bouffard Secondary Plan.

The Purpose of the Secondary Plan

In April 2023, Council authorized the preparation of a new and updated Secondary Plan for Howard Bouffard. The purpose of the Secondary Plan is to establish a comprehensive land use planning, urban design, transportation and municipal service infrastructure policy framework to guide new development in Howard Bouffard. It is recognized that new development will happen incrementally over the long-term. New development will take many forms and will respond to the adjacent built form context, market forces, financial feasibility and political directions over many years. The Howard Bouffard Secondary Plan provides a clear policy framework that is about making strategic choices and shaping the future evolution of Howard Bouffard. The purpose of the Secondary Plan process is to:

- > Undertake a comprehensive and coordinated land-use planning exercise that considers transportation, municipal service infrastructure, natural heritage, a mixture of land uses and

housing types, public service facilities, including elementary schools, and the identification of a system of Public Parks; and

- > Amend the Town of LaSalle Official Plan to provide Howard Bouffard with an up-to-date policy framework that will appropriately guide future development over the time horizon of the Official Plan.

The process for the preparation of the Howard Bouffard Secondary Plan included public and stakeholder consultation, as well as substantial feedback from the major landowners in the Area. The County of Essex, the affected School Boards, the Essex Region Conservation Authority and First Nations have also been consulted throughout the Secondary Plan preparation process.

The Howard Bouffard Secondary Plan is informed by planning, natural heritage, transportation and engineering experts, as well as a full spectrum of expertise provided by Town staff. The Secondary Plan is mindful of the current limitations on development given the existing capacity at the Wastewater Treatment Plant and is anticipating a total population of between 16,000 and 29,000 people and jobs combined over 2 phases. Critical to the future implementation of the Secondary Plan is the importance of existing and future municipal service infrastructure and transportation facilities to support this level of development.

In addition, an updated Natural Heritage System has been incorporated as a fundamental component of the Howard Bouffard Secondary Plan that is consistent with the Provincial Policy Statement (2020) and takes into consideration the natural heritage policies of the County of Essex and the Essex Region Conservation Authority (ERCA). The updated Natural Heritage System identifies significant woodlands, wetlands, wildlife habitat, fish habitat, habitat for endangered and threatened species and other locally important natural features and areas. The updated Natural Heritage System is based on secondary source information available from the Province, County, ERCA and the Town, with focused field reconnaissance to verify and update information, where permission to enter was available. The establishment of the updated Natural Heritage System is supported by the Technical Report: Natural Heritage Assessment prepared by LGL Limited.

A New and Updated Policy Framework

The Howard Bouffard Secondary Plan implements the principles and policies of the Town's Official Plan to guide development proposals as they are subsequently implemented through the relevant provisions of the Planning Act, including Plans of Subdivision or Condominium, implementing Zoning By-laws and, where applicable, Site Plan Control.

The policies of the Howard Bouffard Secondary Plan support an environmentally sustainable community that protects the natural environment and provides a diversity of housing options, connected green spaces, areas with a mix of uses, including retail and service commercial uses, offices, institutional uses and employment generating land uses. Howard Bouffard will be a healthy, connected, and complete community that supports human well-being and active lifestyles by:

- > Designing for a complete community that meets people's needs for daily living throughout an entire lifetime. Complete communities are characterized by a mix and diversity of housing types

and uses, convenient access to public services, community infrastructure, mobility options and a connected open space system;

- > Supporting new development in a contiguous, connected and compact urban form;
- > Designing the built environment to create opportunities for residents to be physically active, socially engaged, and have a high quality of life; and
- > Encouraging healthier lifestyles by creating connected and walkable road patterns and trails with amenities and services within a 5 to 10-minute walk (400 to 800 metres) of most residents within the community.

The Howard Bouffard Secondary Plan:

- > Considers all relevant Provincial, County of Essex and Town of LaSalle planning and development policy requirements related to the protection of the Natural Heritage System, an efficient and cost-effective development pattern and the creation of a complete community, including the need for a range and mix of housing types and opportunities to learn, shop, work and play in proximity; and
- > Considers and implements the as important link between land use planning and the provision of municipal service infrastructure, with a particular focus on stormwater management and the provision of wastewater plant capacity.

The Howard Bouffard Secondary Plan is to be fully integrated with the Town of LaSalle Official Plan, and as such, all of the relevant policies of the Official Plan shall apply to the lands within Howard Bouffard, unless specifically added, or modified by the Secondary Plan. The Howard Bouffard Secondary Plan specifically utilizes the following land use designations and overlays:

- > The Environmental Protection Designation:
- > The Feature Assessment/Restoration Overlay;
- > The Mixed Use Corridor Designation;
- > The Residential District Designation;
- > The Business Park District Designation;
- > The Golf Course District Designation; and
- > The Vollmer Recreation District Designation.

The Secondary Plan also identifies symbolically the existing Sandwich Secondary School and existing Places of Worship and a cemetery. The Secondary Plan also identifies conceptually and symbolically proposed locations for Elementary Schools, as well as locations for Public Parks and for Stormwater Management Facilities.

The Howard Bouffard Secondary Plan is supported by the following Schedules which form a key component of the Secondary Plan:

- > Schedule "F1" – Howard Bouffard Land Use Plan;
- > Schedule "F2" – Howard Bouffard Natural Heritage System; and
- > Schedule "F3" – Howard Bouffard Roads and Active Transportation Plan.

In addition, the Howard Bouffard Secondary Plan is supported by the following non-statutory elements:

- > Appendix 1: Design Guidelines;
- > Appendix 2: Concept Plan;
- > Appendix 3: Stormwater Management Plan;
- > Appendix 4: Wastewater Plant Capacity Allocation Protocol; and
- > Appendix 5: Terms of Reference for Technical Studies.

PART B: THE OFFICIAL PLAN AMENDMENT

The following text and Maps 1 through 8 constitute Amendment Number 1 to the Official Plan of the Town of LaSalle.

Item 1 To conform with recent changes to the Planning Act, it is proposed that Chapter 7.9, SITE PLAN CONTROL, subsection c) of the Official Plan be deleted and a new Chapter 7.9, Site Plan Control, subsection c) be added that reads as follows:

"c) *Site Plan Control may be applicable to all residential development throughout the Town, with the specific exemption of new residential development that includes 10 dwelling units or less.*

Notwithstanding that specific exemption, the Town may apply Site Plan Control to all residential developments that contain 10 dwelling units or less, where the development site is within 300 metres of a rail line, or within 120 metres of a shoreline or a wetland or a river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse."

Item 2 To take advantage of a procedural opportunity provided by recent changes to the Planning Act, it is proposed that a new Chapter 7.17 DELEGATION OF AUTHORITY be added to the Official Plan, which shall read as follows:

"7.17 DELEGATION OF AUTHORITY

- a) *The Planning Act provides the opportunity, by By-law, to delegate the authority to pass By-laws that are of a minor nature to:*
- i. *A Committee of Council; or*
 - ii. *An individual who is an officer, employee or agent of the Town.*
- b) *It is a requirement to specify the types of By-laws where there may be a delegation of authority. As such, and without limiting the generality of the meaning of a By-law that is of a minor nature, Council may pass a By-law to delegate the authority to pass a By-law to:*
- i. *Make minor amendments to the Zoning By-law;*
 - ii. *Remove a Holding Provision;*
 - iii. *Amend an Interim Control By-law; or*
 - iv. *Authorize or extend a Temporary Use By-law.*

- c) *Despite passing the authorization By-law, Council shall direct the delegation of authority by resolution following the public meeting."*

Item 3 To promote and ensure mixed-use development within the Mixed-Use Corridor Designation, Section 4.5, subsection f) shall be amended to read as follows:

- "f) Stand-alone, non-residential buildings are permitted within the Mixed-Use Corridor Designation. Stand-alone apartment style residential buildings are generally prohibited. All development applications within the Mixed-Use Corridor Designation shall include a minimum percentage of at-grade Gross Floor Area as non-residential land uses, as identified in the Implementing Zoning By-law. For the purposes of this Plan, uses that support the residential use, as well as Live-Work Units are also to be considered as non-residential uses."*

Item 4 To facilitate the appropriate long-term development of the Howard Bouffard Secondary Plan Area it is proposed that Schedules "A", "B", "C", "D" and "E" of the Official Plan shall be amended to identify the boundaries of the Howard Bouffard Secondary Plan Area, and to delete any designations, symbols or other policy identifiers from the identified Area. The revised Schedules are attached to this Official Plan Amendment as:

- > Map 1 - REVISED Schedule "A";
- > Map 2 - REVISED Schedule "B";
- > Map 3 - REVISED Schedule "C";
- > Map 4 - REVISED Schedule "D"; and
- > Map 5 - REVISED Schedule "E".

Item 5 To facilitate the appropriate long-term development of the Howard Bouffard Secondary Plan Area it is proposed that a series of new schedules to the Official Plan be added, which are attached to this Amendment as:

- > Map 6 - Schedule "F1" – Howard Bouffard Land Use Plan;
- > Map 7 - Schedule "F2" – Howard Bouffard Natural Heritage System; and
- > Map 8 - Schedule "F3" – Howard Bouffard Roads and Active Transportation Plan.

Item 6 To facilitate the appropriate long-term development of the Howard Bouffard Secondary Plan Area it is proposed that a new Chapter 5.3, including associated appendices, entitled Howard Bouffard Secondary Plan be added to the Official Plan. The new Chapter 5.3 shall read as follows:

5.3 THE HOWARD BOUFFARD SECONDARY PLAN

5.3.1 Introduction

Location

- a) The Howard Bouffard Secondary Plan consists of the lands as identified on **Schedule "F1"**.

Sustainability

- b) The identified significant natural heritage features and their associated ecological functions have been identified and provided with appropriate protection from development within Howard Bouffard, in accordance with Provincial and County policy directives.
- c) Howard Bouffard is planned as a complete community, with the opportunity to learn, live, work, shop and play, all in proximity, reducing the need for unnecessary automobile trips. Opportunities for Active Transportation are provided through a linked and interconnected network of sidewalks and trails planned throughout the community. Transit is expected to be enhanced over time, particularly along Laurier Parkway, where the most intensive built forms and the greatest mixture of land uses are anticipated.

High Quality Development

- d) All new development within Howard Bouffard shall be consistent with the Design Guidelines, attached to this Secondary Plan as **Appendix 1**.

Maximum Growth Forecast/Phasing

- e) Decisions about the timing of development shall be subject to the policies of Chapter 2.2 Strategy, and specifically subsection c) of the Town's Official Plan.
- f) Howard Bouffard is planned to accommodate up to 29,000 people and jobs combined in the long-term. However, on the basis of the capacity limitations within the wastewater plant, development within Howard Bouffard shall be phased over time, directly linked to the Wastewater Flow Agreement with the City of Windsor.
- g) It is a requirement of this Secondary Plan that development within Howard Bouffard be linked to the ability of the Town to provide wastewater plant capacity and appropriate stormwater management facilities.

5.3.2 The Natural Heritage System

- a) The identified significant natural heritage features and their associated ecological functions have been identified and protected from development within Howard Bouffard, as supported by the Technical Report: Natural Heritage Assessment, that includes the background work and technical data sources that were used to establish the Natural Heritage System that is identified within Howard Bouffard.
- b) The Natural Heritage System within Howard Bouffard is complex and highly integrated. It is the intent of this Plan to ensure that the biodiversity, ecological function and connectivity of the Natural Heritage System is protected, maintained, enhanced or, where possible, restored for the long-term, recognizing linkages between and among natural heritage features and areas, hazard lands, source water resources, surface water features and ground water features. The Natural Heritage System is intended to:
 - i. Conserve native biodiversity and enhance climate change resiliency and carbon sequestration;
 - ii. Protect all significant natural heritage features and their associated ecological functions using a system-wide approach; and
 - iii. Provide for or maintain connections and linkages between significant natural heritage features that maintain functionality and provide corridors for wildlife movement.
- c) The policy framework provided in Chapter 4.11 of the Town's Official Plan, which references the corresponding designations, policies and schedules as set out in the County of Essex Official Plan, is hereby replaced for the lands within Howard Bouffard with the following policy framework for the purposes of protecting the significant natural heritage features and their associated ecological functions within the Secondary Plan Area. Chapter 4.11 of the Town's Official Plan remains in full force and effect for the rest of the Town, outside of Howard Bouffard.

Designations and Overlays

- d) The Natural Heritage System is comprised of one designation and an associated overlay:
 - i. ENVIRONMENTAL PROTECTION DESIGNATION, on **Schedule "F1"** and **Schedule "F2"** comprises the identified significant natural heritage features and associated environmental buffers, that the Town shall protect and conserve, subject to the results of an Environmental Impact Study; and
 - ii. FEATURE ASSESSMENT/RESTORATION OVERLAY, on **Schedule "F2"** identifies a number of natural heritage features that have been identified,

but that require additional study through the preparation of an Environmental Impact Study, to confirm:

- > Their significance to the overall Natural Heritage System, and the potential need to protect them from future urban development;
- > The potential to facilitate opportunities for natural heritage restoration, subject to the results of an Environmental Impact Study; and/or
- > Their removal from **Schedule "F2"**, and their development in accordance with the underlying land use designation.

Environmental Impact Study

- e) For all applications for development and/or site alteration within Howard Bouffard, the Town shall require that an Environmental Impact Study be prepared by a qualified professional, and in accordance with any applicable Federal, Provincial, and Town requirements that demonstrates that there will be no negative impacts on any significant natural heritage features, or their ecological functions. All Environmental Impact Studies shall be to the satisfaction of the Town, in consultation with any agency having jurisdiction, where appropriate.
- f) The Terms of Reference for the required Environmental Impact Study is included in **Appendix 5: Terms of Reference - Technical Studies**. The Town may scope the Environmental Impact Study in terms of the study area, the duration of the study and the reporting requirements in a manner that reflects the scale and/or complexity of the proposed development.

Analysis of Species at Risk

- g) All applications for development, or site alteration within Howard Bouffard shall be accompanied by an analysis of Species at Risk and their habitat, in accordance with the Endangered Species Act, and its associated regulations. Such an analysis shall be prepared by a qualified professional, to the satisfaction of the Town and the Province. The Town may require information on conformity to this policy through conditions of approval for Plans of Subdivision/Condominium and/or Site Plan Approval.

Hazard Lands and Other Areas Affected by ERCA Regulations

- h) Where lands that are identified on Schedule "B" to By-law 8600 as Areas Susceptible to Flooding, the policies of Chapter 6.4 of the Town's Official Plan shall apply.
- i) For other lands shown as Areas Affected by ERCA Regulations on Schedule "B" to By-law 8600 permission from the Conservation Authority may be required prior to

any development. ERCA is given authority through Section 28 of the Conservation Authorities Act. The regulation is entitled “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” (O.R. 41/24) and requires a landowner to obtain the permission of the Authority prior to the commencement of a development activity within a regulated area.

Removal or Destruction of a Natural Heritage Feature

- j) Within the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY, the removal or destruction of any natural heritage feature, or any associated ecological function by unauthorized development, tree cutting or site alteration is prohibited. Such removal or destruction will not provide the rationale for the removal of any affected lands from the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY.
- k) Restoration, to the satisfaction of the Town, in consultation any agency having jurisdiction, will be required where the removal or destruction of a natural heritage feature or any associated ecological function by unauthorized development or site alteration has occurred. Charges or penalties may be imposed pursuant to a Federal, Provincial, County and Town legislation, regulations, policies and By-laws.

Site Alteration

- l) No buildings or structures, nor the cutting of trees, site alteration, or the removal or placing of fill of any kind whether originating on the site or elsewhere, may be permitted within the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY, except with the approval of the Town, in consultation with any agency having jurisdiction.
- m) Where buildings or structures are proposed and the cutting of trees, site alteration, or the removal or placing of fill of any kind is permitted, the required Environmental Impact Study shall demonstrate no negative impact to any element of the Natural Heritage System or associated ecological functions, as demonstrated through the required Environmental Impact Study. Further, where site alteration and/or a permitted use requires impact management, the net environmental effect shall not have negative impact on the natural heritage features, or their associated ecological functions.

Existing Uses and Structures

- n) Existing legal non-conforming uses and structures within the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY, are permitted and may be replaced if destroyed by natural causes, without triggering the requirement for an Environmental Impact Study.

Existing Approvals

- o) Where a development proposal within the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY has received approval from the Town prior to the date of the approval of this Secondary Plan, but has not yet been developed, the Town will work with the developer to mitigate the impacts of that development on the significant natural heritage features or their associated ecological functions, or consider allowing the existing approval to lapse, if applicable.
- p) Where a development proposal within the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY has been partially, but not fully approved, and still requires subsequent approvals under the Planning Act, or where a request to extend an existing approval is made, the Town may require that an updated Environmental Impact Study be carried out to ensure that there is no negative impact to the natural heritage features or their associated ecological functions in support of an extension to an existing approval, or any new approval required under the Planning Act.

Existing Lots of Record

- q) Where there is an Existing Lot of Record within the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY, the owner may be entitled to build one (1) single detached dwelling on the Lot, subject to relevant Zoning By-law provisions. The permission for the development of an Existing Lot of Record shall be subject to all of the following criteria:
 - i. The Lot legally existed prior to the approval of the Town's current Official Plan;
 - ii. An Environmental Impact Statement has been prepared and has identified the best location on the property to locate the dwelling on the lot that minimizes the impact of the development on the significant natural heritage features and their associated ecological functions, and in consideration of any natural hazards affecting the property;
 - iii. The Lot has frontage on an existing and built Public Road;
 - iv. The Lot can be provided with an appropriate municipal water supply and wastewater facilities; and
 - v. The proposed dwelling:
 - > Is located outside of lands subject to natural hazards, to the satisfaction of the Conservation Authority;

- > Is located outside of the ENVIRONMENTAL PROTECTION DESIGNATION, or the FEATURE ASSESSMENT/RESTORATION OVERLAY to the extent possible; and
- > Will have no detrimental impact on any identified habitat for threatened and endangered species, in accordance with the requirements of the Province.

5.3.2.1 Environmental Protection Designation

Intent

- a) It is the intent of this Secondary Plan to ensure that lands within the ENVIRONMENTAL PROTECTION DESIGNATION identified on **Schedule "F1"** and **Schedule "F2"** are protected from the impacts of development and that the biodiversity and ecological function of the features incorporated within the Designation are protected, maintained, enhanced or, where possible, restored for the long-term.

Components

- b) The ENVIRONMENTAL PROTECTION DESIGNATION is identified on **Schedule "F1"** and **Schedule "F2"** and is comprised of the following components:
 - i. Significant wetlands;
 - ii. Significant woodlands;
 - iii. Habitat of endangered species and threatened species;
 - iv. Significant wildlife and fish habitat; and
 - v. Existing Drains.
- c) The ENVIRONMENTAL PROTECTION DESIGNATION also includes associated environmental buffers from identified significant natural heritage features to protect their associated ecological functions. The associated environmental buffers are a minimum buffer and may be adjusted as a result of further analysis carried out in an Environmental Impact Study.

Permitted Uses

- d) Permitted uses on lands within the ENVIRONMENTAL PROTECTION DESIGNATION may include:
 - i. Conservation uses;

- ii. Trails and other associated passive recreational opportunities and facilities that do not require substantial site alterations;
 - iii. Buildings or structures appropriate and supportive of trails and other associated passive recreational opportunities and facilities;
 - iv. Buildings or structures necessary for flood or erosion control;
 - v. Existing agricultural uses; and
 - vi. Drainage improvements and maintenance activities as deemed necessary by the Town, provided the appropriate authorizations are secured to the satisfaction of the Town, in consultation with any agency having jurisdiction.
- e) In addition to the permitted land uses listed, municipal service infrastructure projects, where the alignments or locations of those facilities have been established in the Official Plan, this Secondary Plan and/or an approved Environmental Assessment, may be permitted on lands within the ENVIRONMENTAL PROTECTION DESIGNATION, subject to the application of specific mitigation measures as set out in an approved Environmental Impact Assessment under the Environmental Assessment Act.

No Development

- f) Lands within the ENVIRONMENTAL PROTECTION DESIGNATION shall generally not form part of any new lots to be created for the purposes of development.

Boundary Adjustments

- g) An Amendment to this Secondary Plan shall not be required to make minor modifications to the boundaries of the ENVIRONMENTAL PROTECTION DESIGNATION, provided the overall intent of this Secondary Plan is maintained. Minor adjustments to the boundary of the ENVIRONMENTAL PROTECTION DESIGNATION must be supported by an Environmental Impact Study. Where a minor boundary adjustment is deemed acceptable to the Town, the abutting land use designation as identified on **Schedule "F1"** and **Schedule "F2"**, shall apply.
- h) Moderate or significant changes to the ENVIRONMENTAL PROTECTION DESIGNATION shall only be considered through an Official Plan Amendment that is supported by an Environmental Impact Study.

Existing Drains

- i) Existing Drains may be considered for realignment, relocation or removal from the ENVIRONMENTAL PROTECTION DESIGNATION without the need for an Official Plan Amendment, provided that the overall intent of this Secondary Plan is

maintained and the realignment, relocation or removal is supported by an Environmental Impact Study.

Where realignment, relocation or removal of an Existing Drain is deemed appropriate by the Town, the underlying land use designation as identified on **Schedule "F1"**, shall apply. All development shall also be subject to any restrictions on any permitted land use and/or any required impact mitigation requirements identified in the Environmental Impact Study, to the satisfaction of the Town.

Compensation Where Impact Unavoidable

- j) Where development, redevelopment and/or site alteration is necessary within the ENVIRONMENTAL PROTECTION DESIGNATION, and a negative impact is unavoidable as identified through an Environmental Impact Study, then the Town, in consultation with any agency having jurisdiction, may accept a compensatory mitigation approach. Where compensatory mitigation is proposed, it must be demonstrated through an Environmental Impact Study that the mitigation results in no net loss of the significant natural heritage features or their associated ecological functions.

Dedication/Acquisition of Lands

- k) Lands within the ENVIRONMENTAL PROTECTION DESIGNATION may be dedicated at no cost to the Town, other public agency or authority, or to a Land Trust or other not-for-profit agency. Where lands within the ENVIRONMENTAL PROTECTION DESIGNATION are proposed for dedication to the Town, they shall be conveyed in a satisfactory physical condition and if an open watercourse is involved, the dedication shall provide sufficient land for property maintenance operations to be carried out. Such land shall not be acceptable as parkland dedication.
- l) Nothing in this Secondary Plan compels the Town, or any other public agency or authority to acquire any lands within the ENVIRONMENTAL PROTECTION DESIGNATION.

Public Access

- m) Nothing in this Secondary Plan suggests that privately owned lands within the ENVIRONMENTAL PROTECTION DESIGNATION shall be open or accessible to the public, unless explicit permission to do so is provided by the landowner.

Zoning

- n) Lands within the ENVIRONMENTAL PROTECTION DESIGNATION on **Schedule "F1"** and **Schedule "F2"**, shall be identified as within the Natural Environment (NE) Zone, or within the Floodway (F) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.2.2 Feature Assessment/Restoration Overlay

Intent

- a) The FEATURE ASSESSMENT/RESTORATION OVERLAY on **Schedule "F2"** identifies a number of natural heritage features, linkages and corridors that require additional study to confirm their significance to the overall Natural Heritage System, and the potential requirement to protect them from future urban development. In addition, the FEATURE ASSESSMENT/RESTORATION OVERLAY includes a number of Existing Drains that provide a stormwater management function, but also contribute to the Natural Heritage System and may support important fish habitat.

Where lands are not identified as a significant natural heritage feature through the required Environmental Impact Study, they may be considered for appropriate restoration or enhancement activities and/or may be removed from the Feature Assessment/Restoration Overlay, and developed in accordance with the underlying land use designation.

Reduction or Removal

- b) Minor or moderate adjustments to the boundaries, or the removal of a small or moderate scale component of lands identified within the FEATURE ASSESSMENT/RESTORATION OVERLAY that are specifically not an Existing Drain, shall not require an Official Plan Amendment, provided that the overall intent of this Secondary Plan is maintained and the adjustment/removal is supported by an Environmental Impact Study.
- c) The reduction or the removal of a large-scale component of the FEATURE ASSESSMENT/RESTORATION OVERLAY, that are specifically not an Existing Drain, shall only be considered through an Official Plan Amendment that is supported by an Environmental Impact Study. The Official Plan Amendment will include the appropriate recognition of any identified significant natural heritage features and ecological functions within the ENVIRONMENTAL PROTECTION DESIGNATION.
- d) Where any adjustment to the boundaries of the FEATURE ASSESSMENT/RESTORATION OVERLAY, whether minor, moderate or large-scale is deemed appropriate by the Town, the underlying land use designation as identified on **Schedule "F1"**, shall apply. All development shall also be subject to any restrictions on any permitted land use and/or any required impact mitigation requirements identified in the Environmental Impact Study, to the satisfaction of the Town.

Dedication/Acquisition of Lands

- e) Lands within the FEATURE ASSESSMENT/RESTORATION OVERLAY that are re-identified through an Environmental Impact Study to be within the

ENVIRONMENTAL PROTECTION DESIGNATION may be dedicated at no cost to the Town, other public authority, or to a Land Trust or other not-for-profit agency. Where such lands are proposed for dedication to the Town, they shall be conveyed in a satisfactory physical condition and if an open watercourse is involved, the dedication shall provide sufficient land for property maintenance operations to be carried out. Such land shall not be acceptable as parkland dedication.

- f) Lands within the FEATURE ASSESSMENT/RESTORATION OVERLAY that are re-identified through an Environmental Impact Study as being appropriate for environmental restoration or enhancement activities may be dedicated at no cost to the Town, other public authority, or to a Land Trust or other not-for-profit agency. Alternatively, the Town may secure such lands through a compensation program, including parkland dedication credits.
- g) Nothing in this Secondary Plan compels the Town, or any other public agency or authority to acquire any lands within the FEATURE ASSESSMENT/RESTORATION OVERLAY.

Public Access

- h) Nothing in this Secondary Plan suggests that privately owned lands within the FEATURE ASSESSMENT/RESTORATION OVERLAY shall be open or accessible to the public, unless explicit permission to do so is provided by the landowner.

Zoning

- i) Lands within the FEATURE ASSESSMENT/RESTORATION OVERLAY that are:
 - i. Re-identified to be within the ENVIRONMENTAL PROTECTION DESIGNATION shall be included within the Natural Environment (NE) Zone, or within the Floodway (F) Zone of the Town's Comprehensive Zoning By-Law 8600, as amended;
 - ii. Re-identified as being appropriate for environmental restoration activities shall be identified as within the Natural Environment (NE) Zone, or within the Floodway (F) Zone of the Town's Comprehensive Zoning By-Law 8600, as amended; and
 - iii. Removed from the FEATURE ASSESSMENT/RESTORATION OVERLAY shall be zoned in accordance with the policies of their underlying land use designation identified on **Schedule "F1"**.

5.3.3 Land Use Designations

5.3.3.1 Mixed Use Corridor Designation

Policy Reference

- a) For the lands within the MIXED USE CORRIDOR DESIGNATION on **Schedule "F1"**, all new development shall be in accordance with all of the relevant policies of the Town's Official Plan, with specific reference to the policies of Chapter 4.5 and 5.2.
- b) All development within the MIXED USE CORRIDOR DESIGNATION on **Schedule "F1"**, shall be planned and designed with high-quality design features, consistent with **Appendix 1: Design Guidelines**.

Zoning

- c) All development within the MIXED USE CORRIDOR DESIGNATION on **Schedule "F1"**, shall be consistent with **Appendix 1 - Design Guidelines** and shall be identified as within either the Mixed Use One (MU1) Zone, or the Mixed Use Two (MU2) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.3.2 Residential District Designation

Policy Reference

- a) For the lands within the RESIDENTIAL DISTRICT DESIGNATION on **Schedule "F1"**, all new development shall be in accordance with all of the relevant policies of the Town's Official Plan, with specific reference to the policies of Chapters 4.7 and 5.2 of the Official Plan.
- b) All development within the RESIDENTIAL DISTRICT DESIGNATION on **Schedule "F1"**, shall be planned and designed with high-quality design features including built form, architectural detail and landscaping, consistent with **Appendix 1: Design Guidelines**.
- c) In addition to the policies of Sections 4.7 and 5.2 of the Official Plan, development within the RESIDENTIAL DISTRICT DESIGNATION shall also conform with the following neighbourhood design policies:
 - i. Create a connected, pedestrian-oriented and highly interconnected street and block pattern, with connections to adjacent communities and to community amenities/destinations;
 - ii. Locate key destinations such as retail and service commercial uses, the Vollmer Centre, Public Parks and Elementary Schools within a 400 metre radius (about a 5-minute walk) of most residents; and

- iii. Provide an appropriate transition to/integration among adjacent uses/built forms.
- d) The following policies apply to lands that abut the ENVIRONMENTAL PROTECTION DESIGNATION as it is defined on **Schedule "F1"**. It is a policy of the Town to:
- i. Protect and incorporate the elements within the ENVIRONMENTAL PROTECTION DESIGNATION as an integral part of the neighbourhood's structure;
 - ii. Create views and vistas to elements within the ENVIRONMENTAL PROTECTION DESIGNATION through the location, arrangement, and configuration of streets and blocks; and
 - iii. Locate Public Parks in locations that create strong connections among elements of the ENVIRONMENTAL PROTECTION DESIGNATION and provide key links within the associated Active Transportation Network.

Specific Policy Area 1

- e) Lands within the RESIDENTIAL DISTRICT DESIGNATION that are specifically identified as within Specific Policy Area 1 on **Schedule "F1"** are subject to an existing legal agreement that regulates the development potential on the Subject Property. Prior to any urban development on the Subject Property being approved, the Town will review the intent of the existing legal agreement in collaboration with the landowner to confirm its ongoing relevance, or to make modifications, as deemed appropriate.

Zoning

- f) Residential development forms within the RESIDENTIAL DISTRICT DESIGNATION on **Schedule "F1"**, shall be identified as within either the Residential One (R1) Zone, the Residential Two (R2) Zone, or the Residential Three (R3) Zone of the Town's Comprehensive Zoning By-Law 8600.
- g) Notwithstanding f) above, some lands within the RESIDENTIAL DISTRICT DESIGNATION on **Schedule "F1"** include the Elementary School Symbol, or the Secondary School Symbol. These lands are to be zoned within the Institutional (I) Zone of the Town's Comprehensive Zoning By-Law 8600.
- h) Notwithstanding f) above, some lands within the RESIDENTIAL DISTRICT DESIGNATION on **Schedule "F1"** include the Public Park Symbol. Public Parks shall generally be zoned with Recreation (RE) Zone of the Town's Comprehensive Zoning By-Law 8600.
- i) Lands within the RESIDENTIAL DISTRICT DESIGNATION on **Schedule "F1"** may be used for non-residential, neighbourhood supporting uses in accordance with

Chapter 5.2, subsection a), subsection viii) of the LaSalle Official Plan. These uses will be identified and zoned within the appropriate zoning category through a Zoning By-law Amendment process.

5.3.3.3 Business Park District Designation

Policy Reference

- a) For the lands within the BUSINESS PARK DISTRICT DESIGNATION on **Schedule "F1"**, all new development shall be in accordance with all of the relevant policies of the LaSalle Official Plan, with specific reference to the policies of Chapter 4.8.

Specific Policy Area 2

- b) Notwithstanding the relevant policies of Chapter 4.8, the lands identified as Specific Policy Area 2 on **Schedule "F1"**, may be **utilized for major retail commercial uses**, subject to an appropriate Zoning By-law Amendment and Site Plan Approval.

Zoning

- c) All development within the BUSINESS PARK DISTRICT DESIGNATION on **Schedule "F1"**, shall be consistent with **Appendix 1 - Design Guidelines** and shall be identified as within the Business Park (BP) Zone, or the Business Park - Defined Area 2 (BP-2) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.3.4 Golf Course District Designation

The Existing Golf Course

- a) For the lands within the GOLF COURSE DISTRICT DESIGNATION on **Schedule "F1"**, all new development shall be in accordance with all of the relevant policies of the LaSalle Official Plan, with specific reference to the policies of Chapter 4.10.

Zoning

- b) The existing Golf Course shall be identified as within the Golf Course (GC) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.3.5 Vollmer Recreation District Designation

Policy Reference

- a) For the lands within the VOLLMER RECREATION DISTRICT DESIGNATION on **Schedule "F1"**, all new development shall be in accordance with all of the relevant policies of the Town's Official Plan, with specific reference to the policies of Chapter 4.4.

Zoning

- b) The Vollmer Recreation Centre and associated lands shall be identified as within the Vollmer Recreation (VR) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.4 Symbols for Schools, Public Parks and Places of Worship

5.3.4.1 Elementary School Symbol

Elementary School Site Locations

- a) A number of Elementary School site locations are identified symbolically on **Schedule "F1"**. Schools support the community structure and patterns of land use and should be located adjacent to Public Parks, connected to the trail system, and central to the community to promote walking or cycling.

Policy Reference

- b) The identified Elementary School Sites shall be accommodated in applications for development generally where the Sites are identified symbolically on **Schedule "F1"**. The development of Elementary Schools shall be subject to the specific policies of Chapter 5.2, subsection v) of the Official Plan, and as follows:
 - i. The locations of the Elementary Schools are conceptual and may be moved to any other location within the RESIDENTIAL DISTRICT DESIGNATION, without the need for an Official Plan Amendment, subject to the satisfaction of the Town, in consultation with the appropriate School Board;
 - ii. The configuration and size of school sites will be defined by the Town in consultation with the School Boards through applications for approval of a Plan of Subdivision and/or Zoning By-law Amendment; and
 - iii. It is the responsibility of the relevant School Board to make the necessary arrangements to acquire an Elementary School Site from the affected landowner. Following 5 years after the approval of an application for development on a property that includes an Elementary School Site, where no arrangement for the acquisition of Site has been achieved, the Elementary School Site Symbol can be removed from **Schedule "F1"**, and the Site can be developed in accordance with the policies for the RESIDENTIAL DISTRICT DESIGNATION, without the need for an Official Plan Amendment. An appropriate Amendment to the Zoning By-law may be required.
- c) Development within Howard Bouffard may be phased. Decisions about the timing of development shall be subject to the policies of Chapter 2.2 Strategy, and specifically subsection c) of the Town's Official Plan. In addition, the Town shall

ensure that new development within Howard Bouffard is appropriately linked to the provision of the required Elementary Schools.

Zoning

- d) The development of an Elementary School shall be consistent with **Appendix 1 - Design Guidelines** and shall be identified as within the Institutional (I) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.4.2 Secondary School Symbol

Policy Reference

- a) **Schedule "F1"** identifies symbolically the existing Sandwich Secondary School, which shall be subject to the policies of Chapter 5.2, subsection v) of the Town's Official Plan.

Zoning

- b) Any additional development on the identified Secondary School property shall be consistent with **Appendix 1 - Design Guidelines** and shall be identified as within the Institutional (I) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.4.3 Public Park Symbols

Intent

- a) This Secondary Plan is based on the requirement that development is to occur comprehensively, where Public Parks are expected to be established for the benefit of the broader community and that some land owners may be required to dedicate more land for Public Parks than others.

The intent of the Town is to ensure, through the policies of this Secondary Plan, the development approval process and/or legal mechanisms available to the Town under the Planning Act, or any other legislative opportunity, that land owners asked to over contribute lands for Public Parks are appropriately compensated for their relative loss of development potential by the Town, through the Town's cash-in-lieu of parkland account, or more directly by benefitting land owners who are dedicating less land than they are required for Public Park purposes.

The Town will compensate over-contributing landowners for their relative loss of development potential through their cash-in-lieu of parkland account, when funds are available for appropriate distribution.

Locations for Public Parks

- a) **Schedule "F1"** identifies symbolically locations for Public Parks. It is the intent of this Secondary Plan that a comprehensive and highly connected system of Public Parks be established over time within Howard Bouffard. It is also the intent of this Plan for the lands identified for Public Parks be fully integrated and connected to:
 - i. Elements of the Natural Heritage System, as identified on **Schedule "F1"** and **Schedule "F2"**;
 - ii. Elements of the Active Transportation Network, as identified on **Schedule "F3"**;
 - iii. Elementary School Sites; and
 - iv. Stormwater Management Facilities.

Policy Reference

- b) The development of Public Parks shall be subject to the specific policies of Chapter 5.2, subsection ix) of the Town's Official Plan, and as follows:
 - i. Public Parks are permitted anywhere within the RESIDENTIAL DISTRICT DESIGNATION, without the need for an Official Plan Amendment, subject to the satisfaction of the Town; and,
 - ii. The precise location, configuration and size of each Public Park will be defined by the Town through applications for approval of a Plan of Subdivision, Zoning By-law Amendment and/or a request for the removal of the "H" Holding Zone Symbol.
- c) Notwithstanding the policies of Chapter 5.2, subsection ix) of the Town's Official Plan, permitted uses in a Public Park may include:
 - i. Active and passive recreational uses;
 - ii. Components of the Active Transportation Network;
 - iii. Community facilities;
 - iv. Municipal service infrastructure.

Accessory Buildings + Uses

- d) Accessory buildings and structures, and limited retail commercial uses, or restaurants which serve the main permitted use may be permitted subject to the

relevant policies of the Town's Official Plan, and the requirements of the Town's Comprehensive Zoning By-law 8600.

Parkland Dedication

- e) All developments within Howard Bouffard shall be required to provide a parkland dedication, or cash-in-lieu of a land dedication based on the parkland provision requirements of Chapter 7.11 of the Official Plan, and subject to the following:
 - i. The first priority for parkland dedication is the achievement of the comprehensive and connected system of Public Parks, as identified symbolically on **Schedule "F1"** and as identified in **Appendix 2: Concept Plan**;
 - ii. Where cash-in-lieu of parkland is accepted for development on lands within Howard Bouffard, the Town shall contribute those funds into the Town's cash-in-lieu of parkland account, and shall use those funds to provide public parkland elsewhere within Howard Bouffard, or to appropriately compensate over-contributing landowners for their relative loss of development potential, when funds are available for appropriate distribution. Cash-in-lieu of parkland shall be based on a land valuation approach as it is established in Section 42 of the Planning Act, or the Town's Parkland Dedication By-law;
 - iii. The Town identifies the following as not acceptable for parkland dedication:
 - > Lands that are an identified as within the ENVIRONMENTAL PROTECTION DESIGNATION;
 - > Lands that are identified as Hazard Lands, have poor drainage, erosion issues, or other environmental or physical conditions that would interfere with the lands potential development or use as a Public Park;
 - > Lands that are required to accommodate stormwater management facilities, unless the Town accepts such lands as part of a strata ownership arrangement;
 - > Lands that are deemed to be contaminated in any way; and/or
 - > Lands used for utility or hydro corridors or any other infrastructure.

Zoning

- h) The development of a Public Park shall be consistent with **Appendix 1 - Design Guidelines**. Public Parks are a permitted use in most of the zoning categories identified within the Town's Comprehensive Zoning By-law 8600, however, Public Parks should generally be identified as within the Recreation (RE) Zone of the Town's Comprehensive Zoning By-Law 8600.

5.3.4.4 Place of Worship Symbol

Existing Places of Worship

- a) An existing cluster of Places of Worship support the community structure and patterns of land use. Howard Bouffard includes three existing Places of Worship which shall be subject to the policies of Chapter 5.2, subsection viii) of the Town's Official Plan.

Zoning

- b) Any additional development on the identified Place of Worship properties shall be consistent with **Appendix 1 - Design Guidelines** and shall be identified as within the Institutional (I) Zone of the Town's Comprehensive Zoning By-Law 8600.
- c) Locations for new Places of Worship are not identified in this Secondary Plan, but are a permitted use in the MIXED USE CORRIDOR DESIGNATION. If new Places of Worship are proposed, they may be permitted within the MIXED USE CORRIDOR DESIGNATION and shall be subject to the regulations within the Institutional Zone (I), or the Mixed-Use One Zone (MU1) as per the Town's Comprehensive Zoning By-law 8600.

5.3.5 Municipal Service Infrastructure + Utilities

5.3.5.1 Mobility and Active Transportation

Locations for Facilities

- a) The Mobility and Active Transportation Network that is to be developed throughout Howard Bouffard is identified on **Schedule "F3"**. The Arterial and Collector Road network is as established by the Town's Master Transportation Plan and is identified on **Schedule "F3"**. Minor adjustments to the location of the Proposed Collector Roads identified on **Schedule "F3"** may be considered through the Plan of Subdivision/Condominium and/or Zoning By-law Amendment processes, subject to the satisfaction of the Town.

Policy Reference

- b) The provision of the required Mobility and Active Transportation Network, as identified on **Schedule "F3"** shall be in accordance with all of the relevant policies of the Town's Official Plan, with specific reference to Chapter 6.1 and Chapter 6.5.
- c) The connectivity elements and capacity enhancements within the overall transportation system must be achieved. These crucial connections and associated upgrade requirements will need to be further reviewed at the

implementation stage of the various development applications throughout Howard Bouffard.

- d) All development approvals within the Town shall be:
 - i. Explicitly linked to the ability of the Town to provide capacity within the Mobility and Active Transportation Network; and
 - ii. Subject to all required agreements, including financial agreements and development agreements, to build and to pay for the required elements of the Mobility and Active Transportation Network, to the satisfaction of the Town.

Zoning

- e) The development of all elements of the Mobility and Active Transportation Network, as identified on **Schedule "F3"** shall be consistent with **Appendix 1 - Design Guidelines**. As per Section 3.25 of the Town's Comprehensive Zoning By-law 8600, all elements of the Mobility and Active Transportation Network are a permitted use in most of the relevant zoning categories.

5.3.5.2 Municipal Water and Wastewater Infrastructure

Policy Reference

- a) For the provision of required Municipal Water and Wastewater Infrastructure, all new development shall be in accordance with all of the relevant policies of the Town's Official Plan with specific reference to Chapter 6.1 and Chapter 6.2.

Growth Management and Infrastructure Capacity

- b) To align growth management and infrastructure development decisions the Town shall ensure that all new development approvals within Howard Bouffard are explicitly linked to the ability of the Town to provide Municipal Water and Wastewater Infrastructure capacity and facilities.
- c) It is the intention of the Town to ensure that the remaining capacity available to the Town supplied from the current City of Windsor Wastewater Treatment Plant Capacity Agreement is allocated in a sustainable, transparent and logical manner.

The Town's approach to wastewater plant capacity allocation is also focused on providing certainty to all affected landowners, as well as the identification of a process for the Town to manage and monitor growth, over the long-term as guided by the Wastewater Plant Capacity Allocation Protocol included as **Appendix 4** to this Secondary Plan.

- d) Wastewater plant capacity is generally assigned by identified Catchment Area, as identified in **Appendix 4**, and the associated density within each Catchment Area may be transferred from lands eventually required for Public Parks and Stormwater Management Facilities to other, developable lands within the same Catchment Area, to the satisfaction of the Town.
- e) All development within Howard Bouffard will require an analysis of required connection points to the existing systems and associated upgrade requirements for local conveyance/pumping requirements for water and wastewater infrastructure. These crucial connections and associated upgrade requirements will need to be further reviewed at the implementation stage of the various development applications throughout Howard Bouffard.

Required Agreements

- f) All development approvals within the Town shall be subject to all required agreements, including financial agreements and development agreements, to build and to pay for the required Municipal Water and Wastewater Infrastructure facilities, to the satisfaction of the Town.

Zoning

- g) The development of all elements of the required Municipal Water and Wastewater Infrastructure systems shall be consistent with **Appendix 1 - Design Guidelines**. As per Section 3.25 of the Town's Comprehensive Zoning By-law 8600, all elements of the required Water and Wastewater Infrastructure facilities are a permitted use in most of the relevant zoning categories.

5.3.5.3 Stormwater Management Facility Symbols

Intent

- a) This Secondary Plan is based on the requirement that development is to occur comprehensively, where Stormwater Management Facilities are expected to be established for the benefit of the broader community and that some land owners may be required to provide Stormwater Management Facilities, while others may not. The intent of the Town is to ensure, through the policies of this Secondary Plan, the development approval process and/or legal mechanisms available to the Town under the Planning Act, or any other legislative opportunity, that land owners asked to provide Stormwater Management Facilities are appropriately compensated for their relative loss of development potential by benefitting land owners who are not providing such Facilities.

Locations for Stormwater Management Facilities

- b) **Schedule "F1"** identifies symbolically locations for Stormwater Management Facilities, based on the information identified in **Appendix 3: Stormwater**

Management Plan. It is the intent of this Secondary Plan that a comprehensive system of Stormwater Management Facilities be established over time within Howard Bouffard.

Policy Reference

- c) The development of Stormwater Management Facilities shall be subject to the specific policies of Chapter 6.3 of the Town's Official Plan, and as follows:
 - i. Stormwater Management Facilities are permitted anywhere in any designation within this Secondary Plan, with the exception of the ENVIRONMENTAL PROTECTION DESIGNATION without the need for an Official Plan Amendment, subject to the satisfaction of the Town;
 - ii. Notwithstanding i. above, Stormwater Management Facilities may only be permitted within the FEATURE ASSESSMENT/RESTORATION OVERLAY, without the need for an Official Plan Amendment, subject to an Environmental Impact Study that demonstrates that there will be no negative impacts on any natural heritage features, or their associated ecological functions; and
 - iii. The precise location, configuration and size of each Stormwater Management Facility will be defined by the Town through applications for approval of a Plan of Subdivision, a Zoning By-law Amendment and/or a request for the removal of the Hold (H) Provision.

Multiple Approaches to Stormwater Management

- d) All developments within Howard Bouffard Secondary Plan shall be required to ensure that appropriate Stormwater Management Facilities are available to accommodate it, prior to any subsequent approval of a Plan of Subdivision, a Zoning By-Law Amendment and/or a request for the removal of the Hold (H) Provision. Some development lands will rely upon the Master Drainage Solution, while others will not. The Town will consider stormwater management solutions for development under the following scenarios:
 - i. There are lands within Howard Bouffard that can develop on the basis of a traditional Stormwater Management System that may include a series of Stormwater Management Facilities that serve one, or multiple landowners. No new development shall be approved until the Town is satisfied that adequate Stormwater Management Facilities are in place to accommodate the Stormwater Management Facility requirements related to any proposed development;
 - ii. Other lands within Howard Bouffard may be developable in advance of the full build out of the Master Drainage Solution through the use of alternative stormwater management techniques that do not preclude the ultimate

build out of the Master Drainage Solution. The Town may consider development approvals in these circumstances if they are satisfied that prior to the Master Drainage Solution being fully in place that the proposed on-site Stormwater Management Facilities are constructed in their final form (or portion thereof). To consider these applications, the Town shall require:

- > An engineering analysis of the downstream drainage outlet to ensure sufficient capacity;
- > That a Flood Hazard Analysis is carried out that models Howard Bouffard to show updated flood inundation mapping based on the impacts of the proposed development;
- > There is a clear identification of how the proposed development will be tied into the future Master Drainage Solution;

Once the future Master Drainage Solution is completed, all drainage strategies will conform to the findings of the Howard Bouffard Master Drainage Environmental Assessment. No alternatives/temporary measures will be considered permanent in lieu of the Master Drainage Solution; and

- iii. Some lands within Howard Bouffard require that the Master Drainage Solution, which is subject to the Howard Bouffard Master Drainage Environmental Assessment, is fully built and operational before any new development can be built. In these circumstances, no development shall be approved until all of the necessary elements of the Master Drainage Solution are in place, and ready to accommodate the Stormwater Management Facility requirements related to a proposed development.

Required Agreements

- e) All development approvals within Howard Bouffard shall be subject to all required agreements, including financial agreements and development agreements, to build and to pay for the required Stormwater Management Facilities and/or the Master Drainage Solution, to the satisfaction of the Town. Such agreements may include, but are not limited to securities for:
 - i. The appropriate share of the future Master Drainage Solution will be provided to the Town;
 - ii. The improvements to any affected receiving drains;
 - iii. The future connection to the future Master Drainage Solution once it is built; and
 - iv. The return of the potential improved drainage outlet to its original condition.

Zoning

- f) The development of a Stormwater Management Facility shall be consistent with **Appendix 1 - Design Guidelines** and, where applicable, shall implement the Master Drainage Solution, which is subject to the Howard Bouffard Master Drainage Environmental Assessment. As per Section 3.25 of the Town's Comprehensive Zoning By-law 8600, a Stormwater Management Facility is a permitted use in all zones with the exception of the Floodway (F) Zone.

5.3.5.4 Public and Private Utilities

Policy Reference

- a) For the provision of required Public and Private Utilities, all new development shall be in accordance with all of the relevant policies of the Town's Official Plan with specific reference to Section 6.1 and Section 6.7.

Zoning

- b) The development of all required Public and Private Utilities shall be consistent with **Appendix 1 - Design Guidelines**. As per Section 3.25 of the Town's Comprehensive Zoning By-law 8600, Public and Private Utilities are a permitted use in all zoning categories.

5.3.6 Implementation and Interpretation

5.3.6.1 Implementation

Applicable Planning Policy

- a) The Howard Bouffard Secondary Plan shall be implemented in accordance with the provisions of the Planning Act, other applicable Provincial legislation and the relevant policies of the County of Essex Official Plan. In addition, all development shall conform with all of the relevant policies of the Town's Official Plan and the more specific policies of this Secondary Plan.
- b) Where there is a conflict between the policies of this Secondary Plan and the Town's Official Plan, the policies of this Secondary Plan shall prevail.

Financial Management

- c) All development approvals within Howard Bouffard shall be subject to the applicable Development Charges By-law and Parkland Dedication By-law as well as all required agreements, including financial agreements and development agreements, to build and to pay for the required parks, public roads and municipal

service infrastructure, in accordance with the policies of Section 7.5, subsection d), to the satisfaction of the Town.

Landowner's Group Agreement

- d) To assist the Town in addressing wastewater system capacity constraints, parkland dedication and the development of stormwater management facilities, including the Master Drainage Solution, landowners within Howard Bouffard are encouraged by the Town to enter into a Landowner's Group Agreement, or a number of Landowner's Group Agreements to implement the financial requirements for the growth related elements of this Secondary Plan and to ensure their timely provision without adverse financial impact to the Town's financial capability. This may require front-end financial agreements, or similar mechanisms, to advance the timing for the required elements of this Secondary Plan, to address any acceleration in associated costs, and to implement a fair and equitable sharing of the costs of providing the required elements of this Secondary Plan.

Site Plan Control

- e) Site Plan Control may be used by the Town in accordance with Section 7.9 of the Town's Official Plan as a means of achieving well-designed, functional, accessible, safe, sustainable built form and public space. Site Plan Control is one of the key tools for implementing the Town's policies on urban design in accordance with **Appendix 1 - Design Guidelines**.

Pre-Zoning/Holding Provisions

- f) This Secondary Plan, and the land use distribution identified in **Appendix 2 - Concept Plan**, is intended to support an implementing Zoning By-law Amendment which is subsequently linked to the development regulations provided in the Town's Comprehensive Zoning By-law 8600.

The Town may pre-zone all, or some of the lands within Howard Bouffard in order to facilitate expedited development, in accordance with Town objectives related to enhancing the supply, range and mix of housing.

- g) Notwithstanding the pre-zoning approach, all lands subject to Holding Provisions are subject to the policies of Chapter 7.6.3 of the Town's Official Plan. Further, and in order for the Town to deem an application for development to be complete and/or to facilitate the removal of the "h" Holding Zone Symbol the Province requires that all applications for development, or site alteration within Howard Bouffard be accompanied by an analysis of Species at Risk and their habitat, in accordance with the Endangered Species Act, and its associated regulations.

Further, all development, or site alteration within Howard Bouffard shall be accompanied by an Environmental Impact Study, an Archaeological Assessment

and a Wastewater Plant Capacity Allocation Criteria Evaluation. In addition, the Town may require the satisfactory completion of:

- i. A Planning Rationale Report;
 - ii. A Block Plan;
 - iii. An Urban Design Study;
 - iv. A Stormwater Management Plan;
 - v. A Functional Servicing Report;
 - vi. A Transportation Impact Study; and
 - vii. A Financial Impact Study.
- h) Terms of Reference for each of the listed studies is included in **Appendix 5 - Terms of Reference - Technical Studies**, attached to this Secondary Plan. The Town may scope the scale of any study in terms of the study area, the duration of the study and the reporting requirements in a manner that reflects the scale and/or complexity of the proposed development.
- i) The Town reserves the right to request any, or all of the additional studies that are identified in Chapter 7.12 of the Town's Official Plan.

5.3.6.2 Interpretation

Policy Reference

- a) This Secondary Plan, including **Schedules "F1", "F2" and "F3"** provides Howard Bouffard with an up-to-date policy framework that will appropriately guide future development over the time horizon of the Official Plan.
- b) This Secondary Plan shall be interpreted in accordance with Chapter 7.0 and more specifically, Chapter 7.2 of the Town's Official Plan, and the additional interpretation policies included within this Section of this Secondary Plan.

Definitions

- c) Key words utilized within this Secondary Plan have definitions that are found within the Town's Comprehensive Zoning By-law 8600. Other relevant definitions are found within the Provincial Policy Statement (2020), or other Provincial legislation and policies. Where no definition is available within the Town's By-law, the Provincial Policy Statement (2020), or other Provincial legislation and policies, then the typical meaning of the word as defined in the Oxford Dictionary.

Appendices

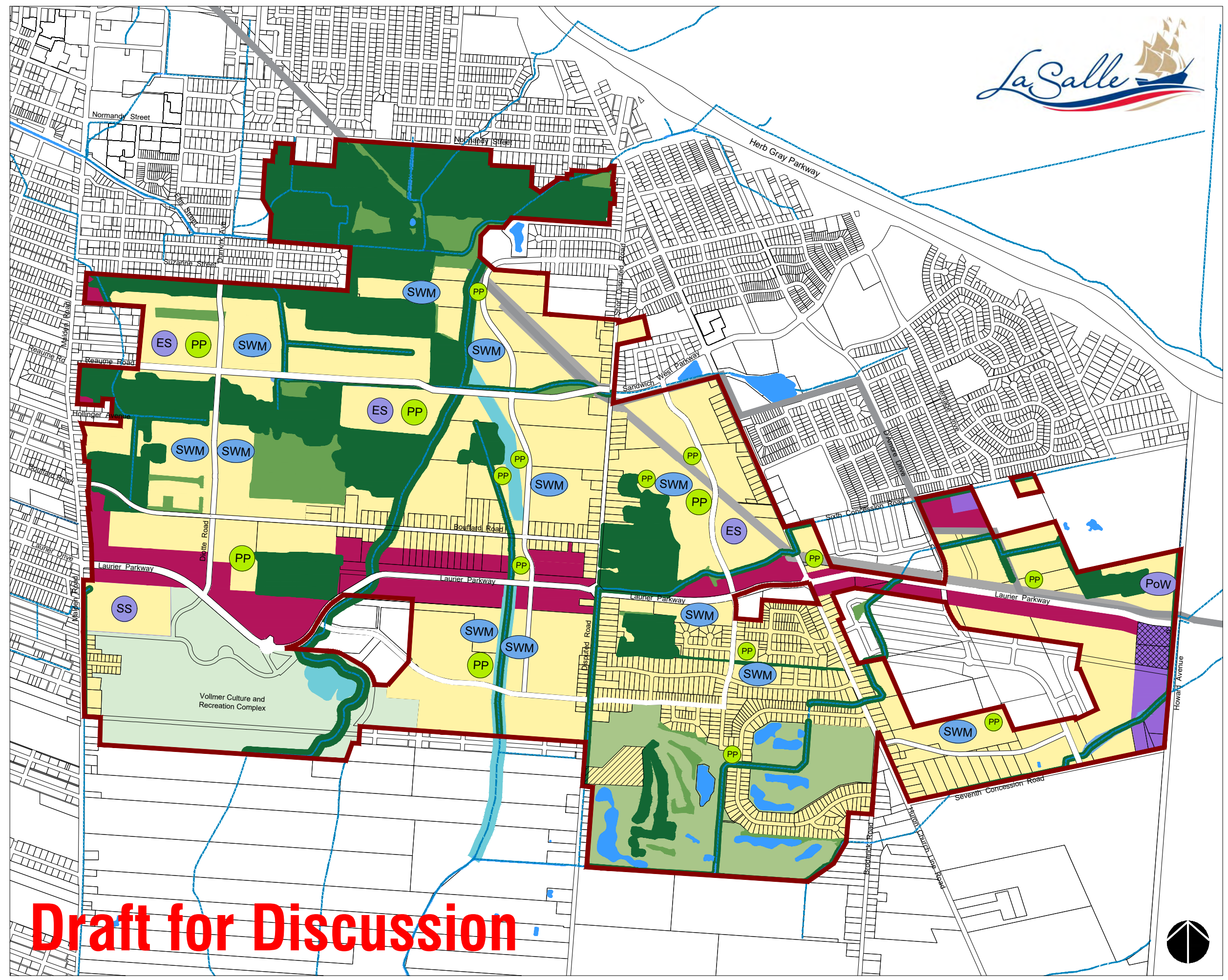
- d) The Appendices associated with this Secondary Plan are to inform development as it is to be implemented through Plans of Subdivision or Condominium, Zoning By-law Amendments and, where applicable, Site Plan Control. All development shall be consistent with the guidelines and standards identified within the various Appendices attached to this Secondary Plan. Importantly, the Appendices are non-statutory components of this Secondary Plan, and are intended to form the basis of subsequent, identified development approval processes and include:
- i. **Appendix 1: Design Guidelines;**
 - ii. **Appendix 2: Concept Plan;**
 - iii. **Appendix 3: Stormwater Management Plan;**
 - v. **Appendix 4: Wastewater Plant Capacity Allocation Protocol; and**
 - vi. **Appendix 5: Terms of Reference - Technical Studies.**



Town of LaSalle

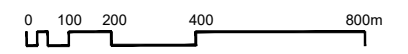
MAP 6

Schedule F1 Howard Bouffard Land Use Plan



Legend

- Secondary Plan Boundary
- Residential District
- Mixed Use Corridor Designation
- Business Park District Designation
- Environmental Protection Designation
- Feature Assessment/Restoration Overlay
- Elementary School Symbol
- Secondary School Symbol
- Public Park Symbol
- Place of Worship Symbol
- Vollmer Recreation District
- Golf Course District Designation
- Stormwater Management Facility Symbol
- Primary Outlet Drain
- Drains
- Waterbodies
- Utilities (Hydro Corridor, Pipeline)
- Roads
- Specific Policy Area 1
- Specific Policy Area 2



August 2024

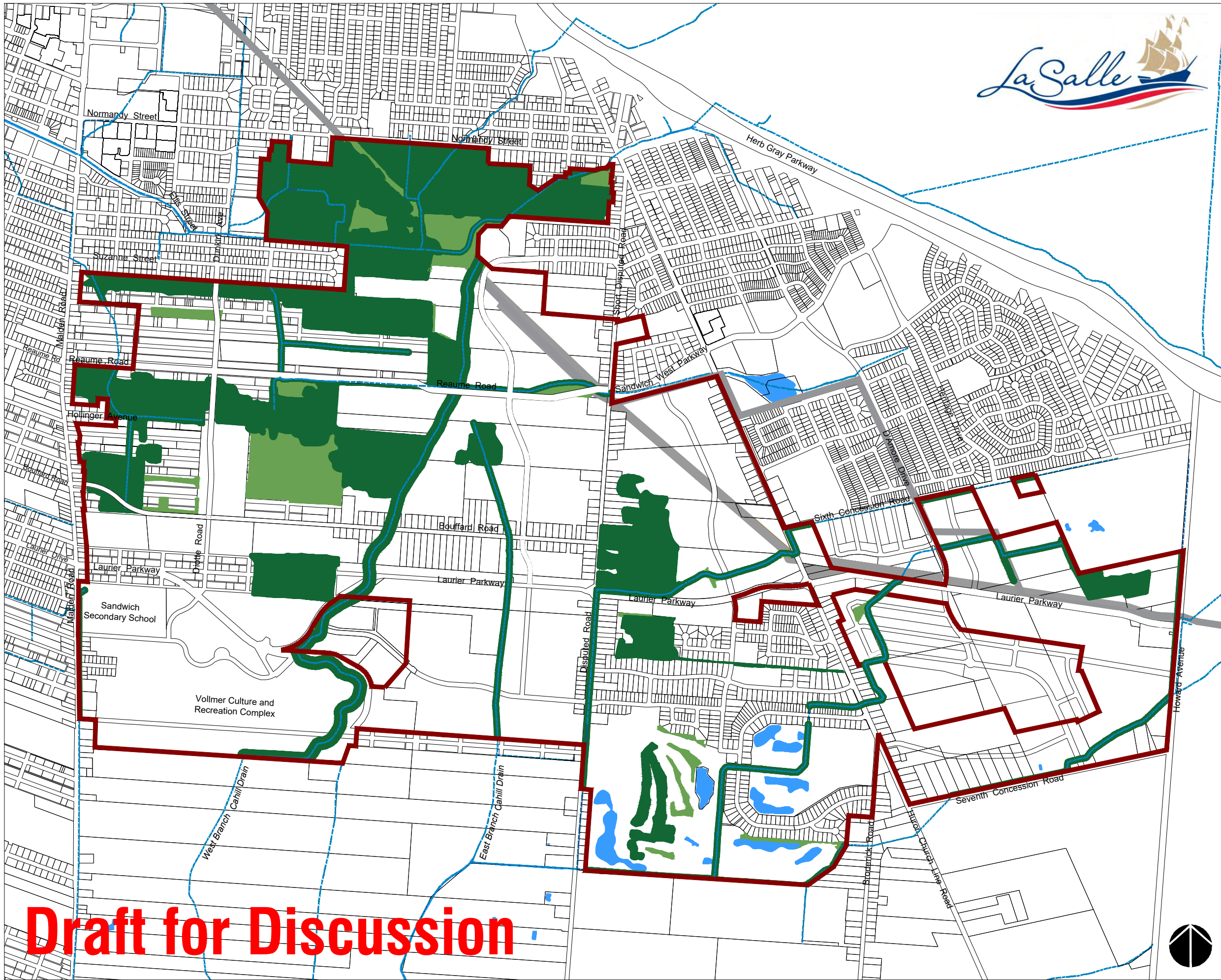
Draft for Discussion





MAP 7

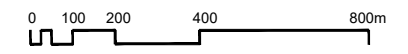
Schedule F2 Howard Bouffard Natural Heritage System



Legend

- Secondary Plan Boundary
- Environmental Protection Designation
- Feature Assessment/Restoration Overlay
- Drains
- Waterbodies
- Utilities (Hydro Corridor, Pipeline)
- Roads

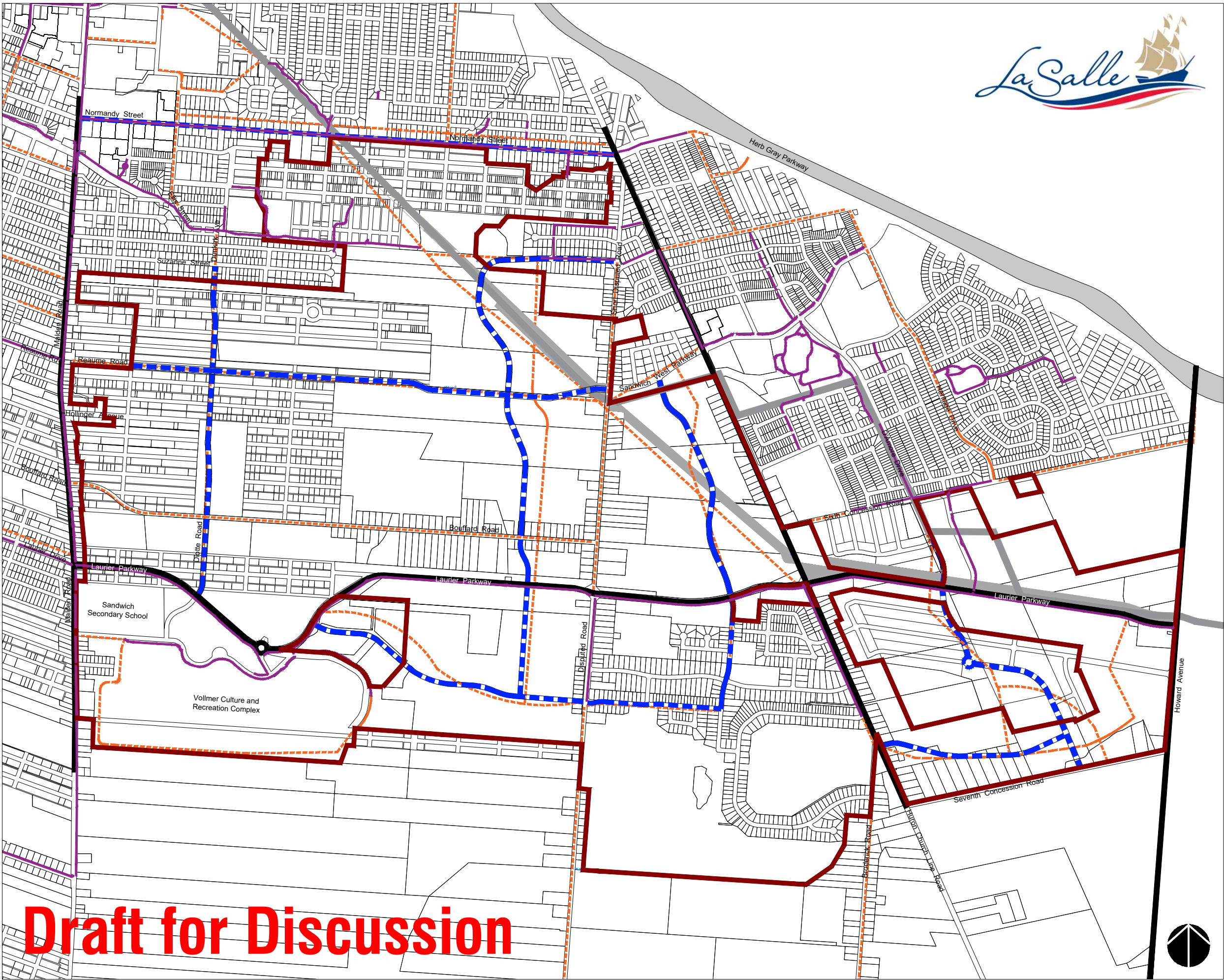
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MAP 8

Schedule F3 Howard Bouffard Roads and Active Transportation Plan



Legend

- Secondary Plan Boundary
- Existing Roads
- Highway
- Arterial Road
- Collector Road
- Existing Trails
- Proposed Trails
- Utilities (Hydro Corridor, Pipeline)

Draft for Discussion

