TOWNSHIP OF PELEE

OFFICIAL PLAN

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DRAFT FOR PUBLIC COMMENT

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1 INTRODUCTION

1.1 A Unique Township

The Township of Pelee is unique in Ontario.

Pelee is remote. As an Island municipality, it has no road connection to the mainland but must rely on air and seasonal water connections.

Pelee is the southernmost municipality in Canada. Its climatic characteristics have helped support plant and animal life not found in other parts of the country. Pelee has one of the most diverse natural ecosystems of any locale in Ontario. Its extensive alvars and associated savannas, sand beaches, Carolinian forest, open marshes and swamps comprise a range of **natural heritage features and areas** which support an unparalleled biodiversity.

Pelee is a single tier local jurisdiction, not part of any County or Region.

1.2 Purpose

The general purpose of the Official Plan for the Township of Pelee is to set out objectives and policies to guide future **development** and change within the Township. The Plan addresses future land use and its regulation, municipal services and related economic, social and environmental issues.

Within this general purpose, the Plan has the following specific purposes:

a) To guide Council in its decision-making in matters of planning, natural heritage, economic development and public works;

b) To provide the public with a clear statement of Council's intentions for the future of the Township, and with a degree of certainty about this future;

c) To promote a logical and orderly pattern of future **development**;

d) To avoid or minimize future land use conflicts;

e) To allocate land for various purposes adequate to meet the future needs of the community;

f) To assist the planning of services by the Township and by other public and private bodies.

g) To help implement provincial policies at the local level.

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1.3 The Planning Area

The Township of Pelee comprises the Canadian component of the Western Lake Erie Islands situated in Lake Erie south of the County of Essex. The Township consists of Pelee Island having a land area of approximately 4,000 hectares and eight Islands, known as the Out Islands: Middle Sister Island, North Harbour Island, East Sister Island, Hen Island, Chick Island, Little Chicken Island, Big Chicken Island and Middle Island, as shown on Figure 1. The Out Islands have no permanent population and are designated Natural Environment in this Plan. The focus of this Plan is on Pelee Island.

1.4 Planning Period

This plan is intended to provide planning guidance for a planning period of approximately 20 years. Moreover, it is intended that this Plan will be monitored, reviewed at least every 5 years and amended as necessary to maintain its currency and usefulness, and to regularly re-establish its 20-year planning period.

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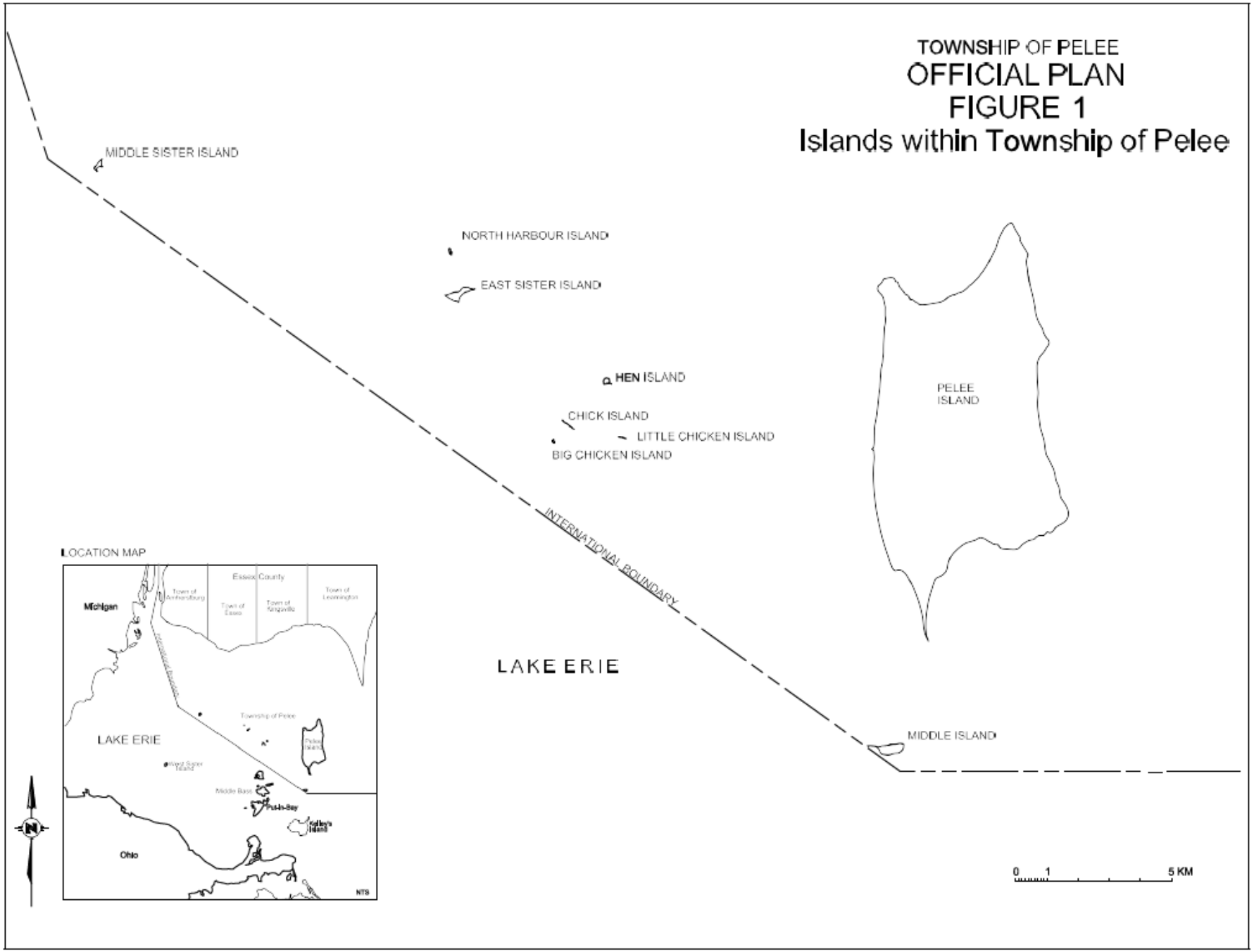
TOWNSHIP OF PELEE

OFFICIAL PLAN
FIGURE 1
Islands within Township of Pelee



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2 PLANNING APPROACH

2.1 Building a Resilient Future for Pelee Island

Pelee has an opportunity to advance a clear, proactive strategy that protects and enhances its natural environment as a defining community asset and foundation for long-term resilience.

A stable and growing permanent population will be essential to sustaining Pelee as a vibrant, year-round community and strengthening the continuity of local stewardship. Over the planning period, the Township can build on its unique Island character, environmental strengths, and community assets to attract and retain residents, including families with children, and support a more resilient population base.

Achieving this vision will require continued investment in the Township's economic base and supporting servicing **infrastructure**. These improvements can be planned in a manner that reinforces environmental protection, supports sustainable growth, and strengthens the natural assets that underpin much of Pelee's existing and future economy.

2.2 Goals and Objectives

Planning for Pelee will be guided by an integrated approach to sustainability that recognizes the long-term well-being of the Island depends on the resilience, and balance of its community, natural environment, and economy which collectively, are the cornerstones of this Plan.

These goals and objectives are interconnected, mutually reinforcing, and collectively critical to the future of the Island. They are intended to be considered together, with no single goal or objective prioritized over another or pursued in isolation from the broader vision for a sustainable community, natural environment, and economy.

Sustainable Community: It is the goal of this Plan to support a sustainable Island community that is healthy, inclusive, resilient, and able to meet the needs of residents and visitors while respecting Pelee's unique character, limited services, natural environment, and local economy.

Objectives:

a) To support the retention and growth of a permanent population by promoting quality of life, access to appropriate services and amenities, and opportunities for modest, sustainable population growth.

b) To provide housing opportunities for the Island's permanent and seasonal populations

and reduce the number of housing vacancies on the Island.

c) To support a **complete community** by encouraging an appropriate range and mix of land uses, transportation options, community institutions, and services that reflect local service levels and meet the needs of people of all ages, abilities, and incomes.

d) To ensure that new **development** occurs in a manner in keeping with the capacity of the services available and within the financial capability of the Township;

Sustainable Natural Environment: It is the goal of this Plan to protect, restore, and enhance Pelee's natural environment while supporting responsible land use, climate resilience, and long-term stewardship of the Island's natural resources.

Objectives:

a) To protect, enhance, and restore the natural environment of the Island by conserving **natural heritage features and areas**, supporting **ecological functions**, promoting responsible land use and development, and encouraging stewardship practices that contribute to the long-term health and resilience of Pelee Island's natural systems.

b) To strengthen the Island's resilience to climate change by reducing risks associated with **flooding hazards**, **erosion hazards**, extreme weather, and other climate-related hazards, supporting resilient **infrastructure** and land use decisions, and encouraging actions that reduce greenhouse gas emissions.

c) To promote long-term stewardship of the Island's natural resources and habitats by encouraging conservation, restoration, and responsible land management practices that protect **ecological functions**, support biodiversity, and sustain the environmental features that define Pelee Island.

Sustainable Economy: It is the goal of this Plan to support a sustainable and resilient Island economy that enhances opportunities for seasonal and year-round employment, strengthens local businesses and key economic sectors, and promotes economic activity that leverages Pelee Island's unique agricultural, tourism, cultural, and natural assets.

Objectives:

a) To protect and strengthen agriculture as a key component of Pelee Island's economy, identity, and land base by supporting the continued use of agricultural lands for farming, encouraging value-added agricultural activities and agri-tourism where

appropriate, and promoting compatibility between agricultural operations and surrounding land uses.

b) To support a diverse and sustainable tourism sector, including eco-tourism, **agri-tourism uses,** outdoor recreation, and visitor-serving businesses, by encouraging tourism opportunities that showcase Pelee Island's natural, agricultural, cultural, and waterfront assets and that support local employment and entrepreneurship.

c) To permit resort development only where it can be demonstrated that appropriate servicing is available or can be provided in a safe, sustainable, and financially responsible manner, and where all necessary municipal, provincial, and other regulatory approvals have been obtained, so that such development contributes to the Island's economy while remaining compatible with the long-term objectives of this Plan.

2.3 Growth Management

The policies of this Plan are intended to manage and guide growth to support the development of **complete communities** while protecting natural resources, public health and safety and cultural heritage.

The policies of this Plan shall guide planning and development to the year 2051 based on a 2051 population and employment target of 268 people and 150 jobs.

2.3.1 Planning for Growth

a) To provide for an appropriate range of housing types and densities, the Township shall ensure that a minimum 15-year supply of lands which are **designated and available** for residential **development** is maintained to accommodate residential growth through **intensification** and **redevelopment**.

b) The Township will target to accommodate 10% of new residential growth through **intensification** by encouraging infill, **redevelopment** and **intensification** within its **settlement areas** where **development** can be adequately serviced.

c) To help achieve a mix and range of uses to support the creation of vibrant, **complete communities** and employment opportunities, the Township shall:

   i. Ensure that sufficient land is available to accommodate employment, commercial and institutional job needs to the year 2051; and,

ii. Permit a range and mix of land uses appropriate for rural **settlement areas** on **partial services**.

d) Growth shall be consistent with the natural heritage policies of this Plan and will be directed to areas outside of natural and human-made hazards.

e) New **development** within the **settlement areas** will be designed to promote an efficient and compact land use pattern, appropriate for the available services.

f) **Development** shall be planned to optimize **infrastructure** and **public service facilities**.

g) Growth and **development** shall ensure that designated **groundwater features** and **surface water features** are protected and maintained.

h) Growth and **development** shall not interfere with **goods movement facilities and corridors** on and off Island.

2.3.2 Location for Growth

There are no areas within the Township with full **municipal services**. Only part of the Township's West Dock **settlement area** is serviced by **municipal water services** and trucked water is provided to select properties along East West Road, but which rely on **individual on-site sewage services**. All other areas within the Township are serviced by **individual on-site water services** and **individual on-site sewage services**.

As the majority of the Island falls within the Conservation Authority's 1-100 **year flood** limit, **development** is further limited within the Township.

The following policies shall guide the location of growth within the Township:

a) It is the intent of this plan to primarily direct growth to the West Dock and Scudder **settlement areas**, provided there are sufficient services available to accommodate the use and new **development** is located outside of the **flooding** and **erosion hazard**.

b) **Development** within the West Dock **settlement area**, shall be limited to minor rounding out and infill where **partial services** are provided, provided that the site conditions are suitable for the long-term provision of these services with no **negative impacts**.

c) Opportunities to provide **private communal services** and decentralized municipal servicing systems in accordance with Section 7.2 of this Plan will be explored within

the **settlement areas**. Should **municipal sewage services** or **private communal sewage services** become available within the West Dock **settlement area**, additional growth may be directed to those areas.

d) Appropriate **development** in the Rural Designation and in the Shoreline Residential designation will also be supported in accordance with the following:

i. Lands within the Shoreline Residential designation shall be managed in a way that promotes appropriate and sustainable development, with a focus on residential and tourism uses and enhancing and protecting the shoreline.

ii. Lands within the Rural designation are outside of the Agricultural Area, Shorelands and **settlement areas**, which may accommodate **development** and provide for an opportunity for a range of uses that facilitate a more diversified rural economy. This includes limited residential **development**, a range of resource-based recreation, agricultural, tourism, management or use of resources and other appropriate economic opportunities that are compatible with the rural landscape and can be sustained by rural service levels.

iii. **Development** shall only be permitted where cost-effective sanitary sewage treatment, water supply and road **infrastructure** is available to support future development. The need for the unjustified and/or uneconomical expansion of this **infrastructure** shall be avoided; and,

iv. Identified **significant natural heritage features and areas** and their associated **ecological functions** shall be protected from **negative impacts**.

2.4 Settlement Boundary Expansions

Any expansion to a **settlement area** or creation of a new **settlement area** must be in keeping with the policies of the Provincial Planning Statement. **Settlement area** expansion or creation of a new **settlement area** shall only occur through amendment to this Official Plan, where the following has been addressed:

a) A need has been demonstrated to designate and plan for additional land to accommodate an appropriate range and mix of land uses.

b) As per Section 7.2 of this Plan, full **municipal services** or a combination of municipal and communal services is available, and it has been ensured that there is sufficient capacity in existing or planned **infrastructure** and **public service facilities**.

c) Alternative locations that avoid **prime agricultural areas** have been evaluated. Where avoidance is not possible, alternatives on lower priority agricultural lands in **prime agricultural areas** shall be considered.

d) The proposed **settlement area** boundary expansion shall comply with the **minimum distance separation** (MDS) **formulae**.

e) Whether impacts on the **agricultural system** are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an **agricultural impact assessment** or equivalent analysis, based on provincial guidance.

f) The proposed expansion is located outside of the **dynamic beach hazard**.

g) The expanded **settlement area** provides for the phased progression of urban **development**.

h) First Nations communities with treaty rights in the area have been consulted. Where there are impacts to treaty rights, accommodations will be required when deemed necessary by the First Nation.

i) It has been demonstrated that **infrastructure** and **public service facilities** to support **development** are planned or available.

2.5 Community Structure

The Pelee Island community is structured upon a number of key components:

a) **Agricultural Area**

The interior lands of the Island have historically been used primarily for agriculture and shall continue to provide for agricultural and agriculture-supportive uses as a foundational element of the Township's future community structure.

b) **Rural Lands**

Rural lands are intended to accommodate resource-based commercial uses, tourist commercial uses, agriculture and other rural land uses, including residential uses where supported by adequate services and in keeping with the rural character of the area.

c) **West Dock Settlement Area**

The West Dock **settlement area** contains the major ferry facilities as well as several key **public service facilities** and tourist commercial facilities. It is

intended that this area be maintained and expanded as the Island's major gateway and tourist service area.

d) **Scudder Settlement Area**

The Scudder **settlement area** is a **secondary gateway** and service centre for Island residents and tourists. This role is intended to continue in the future.

e) **Shoreline Residential**

Pelee's shorelines have provided the most desirable sites for seasonal residential **development** and permanent occupancy, both adjacent to the waterfront and on the inland side of shoreline roads. These will continue to be areas for limited infill residential **development**.

f) **Tourist Commercial**

Tourist commercial and recreation facilities including resort development shall support the future economic development of the Island and shall be directed to appropriate locations where approved water and sewage services are available.

g) **Open Space**

Much of the Island's shoreline is devoted to passive private and/or public open space use. This provides an important visual amenity for all residents and tourists. Public access, including physical and visual access, to the shorelines of the Island will be provided and enhanced.

h) **Natural Environment**

Due to its unique climate and location, Pelee has a rich diversity of **natural heritage features and areas**. The policies of this Plan create a framework for the protection of the Island's **natural heritage features and areas** and their **ecological functions** and for the creation of linkages.

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3 GENERAL POLICIES

3.1 Cultural Heritage

a) In keeping with the Goal and General Objectives of this Plan, it is important to support the preservation and recognition of the Township's cultural heritage resources including buildings, structures, landscapes, monuments or artifacts of cultural heritage value or interest. There are currently no Protected Heritage Resources within the Township however the following policies are intended to promote preservation efforts for the benefit of the community as a whole and to guide the designation and protection of cultural heritage resources. The Township may utilize Parts IV and V of the *Ontario Heritage Act* to conserve **built heritage resources** or **cultural landscapes** through the designation of individual properties or areas, and the designation of a group or groups of properties as Heritage Conservation Districts.

b) Council may establish a Municipal Heritage Committee according to the *Ontario Heritage Act* to advise and assist Council on matters related to the Act and other matters of heritage conservation, including the potential creation of a heritage registry.

c) The Township shall conserve the cultural heritage resources within the Township by requiring a heritage impact assessment for **development** proposals that include or are adjacent to **protected heritage properties**. **Development** shall not be permitted unless the **heritage attributes** of the **protected heritage property** will be **conserved**, in accordance with the recommendations of a heritage impact assessment.

d) The Township will encourage and foster public awareness, participation and involvement in the preservation, restoration and utilization of heritage resources.

e) The Township recognizes that there are pre-contact and historic archaeological sites, and **areas of archaeological potential** within the Township. The Township may identify **areas of archaeological potential** through the use of Provincial screening criteria, or criteria developed based on known archaeological sites within the Township and developed by a licensed archaeologist.

f) Where a property with **areas of archaeological potential** has been identified, the Township will engage early with Indigenous communities and ensure their interests are considered when identifying and protecting **archaeological resources**, **built heritage resources,** and **cultural heritage landscapes**.

g) The Township shall require an archaeological assessment for a proposed **development** within an **area of archaeological potential** or affecting an archaeological site. The Township may require the assessment prior to final planning approval, or as a condition of final planning approval. Archaeological assessment reports conducted by licensed archaeologists shall be in compliance with standards and guidelines set out by the Province, as well as licensing requirements developed

under the *Ontario Heritage Act*.

h) Where **significant archaeological resources** must be preserved on site, only **development** and **site alteration** which maintain the heritage integrity of the site may be permitted.

i) When an identified marked or unmarked cemetery is affected by land use **development**, the Province shall be notified, and the provisions of the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.

j) The appropriate First Nation shall be provided notification with regard to the identification of burial sites and **significant archaeological resources** relating to the activities of their ancestors.

k) If the Township initiates an Archaeological Master Plan, the appropriate First Nations shall be notified and invited to participate in the process.

l) Within the Township boundaries there may be marine **archaeological resources**, including the remains of boats, artifacts, docks, and other items of cultural heritage value. Prior to approving a **development** proposal where there is high potential for marine **archaeological resources**, the Township shall require a marine archaeological survey to be conducted by a licensed marine archaeologist to the satisfaction of the Township and the Province. Waterfront development that will disturb or propose development along or within an area of marine archaeological potential will be required to carry out a marine archaeological survey and/or marine archaeological assessment by a licensed marine archaeologist. Proposals for small private docks to serve a residential dwelling will not be construed as development for the purpose of this policy.

3.2 Housing

a) Housing stock on Pelee Island is predominantly in the form of single detached dwellings. To support the needs of households of different ages, abilities and sizes, the Township will encourage the **development** of a more diverse range and mix of housing types to by:

   i. Encouraging residential **intensification** and **redevelopment** in areas outside of natural hazards and where adequate servicing can be provided. Within the Township, residential **intensification** and **redevelopment** will predominantly be in the form of infilling, additional residential units, duplexes and semi-detached dwellings.

   ii. Expediting the development approval process for **affordable** residential units and supportive housing and further give priority to those receiving government funding;

iii. Encouraging a range of housing types, tenures, and sizes, including attainable housing, **affordable** housing and farm worker housing.

b) The Township acknowledges the need to provide a broader range of **housing options** to meet the needs of residents at all stages of life. To support housing choice and attainability, the Township shall encourage the **development** of smaller dwelling unit types, including additional residential units, secondary suites, tiny homes where appropriate, and other compact housing forms. The Township shall strive to achieve a target whereby approximately 20% of new residential units are provided in the form of smaller or accessory dwelling units.

c) Where permitted, additional residential units shall comply with the following criteria:

i. An additional residential unit may be located within the principal dwelling or within a detached accessory building located on the same lot as the permitted single detached dwelling;

ii. No more than one (1) additional residential unit may be located within a detached accessory building on the same lot as the permitted single detached dwelling.

iii. Detached additional residential units shall:

a. Be subordinate in size to the principal dwelling;

b. Be sited within close proximity to the principal dwelling or farm building cluster to minimize the amount of land taken out of agricultural production,

c. Comply with the **minimum distance separation formulae**,

iv. No more than one (1) additional residential unit shall be permitted on a lot that contains a garden suite. Similarly, a garden suite shall not be permitted on a lot that contains two (2) additional residential units.

v. Where an additional residential unit is permitted, it will be demonstrated that there is sufficient well or **municipal water services** and septic system capacity to service the additional residential unit in addition to the primary dwelling on the lot.

vi. Where an additional residential unit is proposed in an area affected by natural hazards, safe access during times of **flooding hazards** or **erosion hazards** must be established either through planning approval or a Conservation Authority Permit; and,

vii. Additional residential units must be compatible with, and not hinder, surrounding agricultural operations.

d) No severances for new lots will be permitted to separate an additional residential unit from a principal dwelling.

3.3 Natural Hazards

Hazardous Lands include property or lands that could be unsafe for **development** due to naturally occurring processes such as flooding or erosion. Areas that may be subject to **flooding hazards** are shown on Schedule D of this Plan and have been identified as being susceptible to flooding under the 1:100 year flood conditions. These lands may pose a potential risk for loss of life, property damage, and social disruption if developed.

Along the Lake Erie Shoreline, this means the land, including that covered by water and furthest landward limit of the **flooding hazard**, **erosion hazard** or **dynamic beach hazard** limits. The **dynamic beach hazard** is found along the shoreline of Lake Erie whereas other hazards can be found along the shoreline and in other areas of the Township.

In addition to being surrounded by the natural forces of Lake Erie, the history of Pelee Island in the joining of smaller Islands through dyking and reclamation has resulted in the majority of the Island being susceptible to **flooding hazards** or the **erosion** processes of a Great Lakes shoreline. The Township's dyked and pumped drainage system creates the potential for localized slope stability and watercourse hazards. The stone dyke protection system significantly constrains **development** where it has been constructed, particularly along the east shore. It has also created some man-made habitat which supports the natural heritage of the Island.

3.3.1 Policies

a) **Development** shall generally be directed to areas outside of **hazardous lands** and **hazardous sites**.

b) **Development** shall not be permitted within:

   i. The **dynamic beach hazard**;

   ii. Areas that would be rendered inaccessible to people and vehicles during times of **flooding hazards**, **erosion hazards** and/or **dynamic beach hazards**, unless it has been demonstrated that the site has safe access appropriate for the nature of the **development** and the natural hazard;

c) Lands within the **Lake Erie Flooding Hazard** overlay shown on Schedule D of this Plan have been identified as being susceptible to flooding. In these areas, **development** and **site alteration** are subject to the Conservation Authority's permit requirements (Per O. Reg 41/24 Prohibited Activities, Exemptions and Permits) or successor thereof). While these lands and **adjacent lands** are designated for various land uses, no buildings or structures shall be constructed or enlarged without the written permission of the Conservation Authority in accordance with this Regulation.

d) **Development** is generally directed to areas outside of the '**Lake Erie Flooding**

Hazard', Erosion Hazards and other **hazardous lands** and **hazardous sites**. However, **development** and **site alteration** may be permitted if the following criteria is satisfied:

a. the hazard can be safely addressed;

b. the lands are located outside of the **dynamic beach hazard**;

c. new hazards are not created and existing hazards are not aggravated;

d. no adverse environmental impacts will result (preparation of an Environmental Impact Assessment may be required);

e. **Development** and **site alteration** is carried out in accordance with **floodproofing standards**, **protection works standards**, and **access standards**.

f. Safe access is provided in accordance with Provincial Guidelines, meaning that vehicles and people have a way of safely entering and exiting the area during times of **flooding**, **erosion** or other emergencies; and

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

h. New **development** in the vicinity of a municipal drain will be required to be set back from the top of bank of the drain to protect the stability of the bank.

e) The Zoning Bylaw will include regulations for development setbacks and minimum floodproofing elevations within **flooding hazards** and will incorporate building setbacks from the top of bank of municipal drains.

f) Where permitted in the **flooding hazard**, all new buildings and expansions/extensions to existing buildings will be **floodproofed** to the **Regulatory Flood** level, where practical. Where it is not technically or economically feasible or practical to floodproof to the **Regulatory Flood** level, an alternative **floodproofing standard** for additions to existing buildings or structures may be permitted in consultation with the Conservation Authority as set out in the Interior Flood Risk Assessment prepared by Landmark Engineering in 2021. Exceptions to this requirement would be to permit structures necessary for flood and/or erosion control works or structures such as docks. Minor extensions or replacement of existing buildings or structures may be permitted. Any extension or replacement is subject to the regulations and approval of the Conservation Authority.

g) For the purpose of policy 3.3.1(f), minor extensions shall be defined as anything that is less than 45% of the gross floor area of the original structure.

h) Existing buildings and structures located within the **flooding hazard** are encouraged to adopt floodproofing measures.

i) **Development** proposals along waterbodies and watercourses are to take into consideration potential natural hazards. The Township, in consultation with the Conservation Authority, may require the submission of a technical study or studies to define the extent of natural hazards and to determine where **development** may be permitted. Such reports shall be to the satisfaction of the Township and the Conservation Authority.

j) Minor alterations to the boundaries of the **Lake Erie Flooding Hazard** resulting from more detailed mapping or site specific assessments will not require an amendment to the Official Plan provided the general intent of the Plan is maintained.

3.3.2 Flood Protection Works

The Township recognizes that flood protection works, including floodwalls, berm and dykes, provide an important function in reducing **flooding hazard** risk to existing development and **infrastructure**. These works are located both on private and public lands within the Township. The continued effectiveness of flood protection works depends on their ongoing maintenance and integrity. Where flood protection works fall into disrepair or are altered without regard to their flood control function, the level of flood protection afforded to downstream or adjacent properties may be compromised, creating or aggravating existing hazards. It is the intent of this Plan to ensure that flood protection works are recognized, maintained, and stewarded by both the Township and private landowners, and that the responsibilities associated with flood protection works on private property are clearly communicated to landowners.

a) The Township shall maintain a registry of flood protection works within its jurisdiction, identifying the location, type, ownership, and general condition of all known floodwalls, berms, dykes, and associated structures on both public and privately owned lands. This registry shall be reviewed and updated in consultation with the Conservation Authority on a periodic basis and made available to the public.

b) Where flood protection works are located on or adjacent to lands subject to a **development** application, the Township shall require, as a condition of approval, that the applicant demonstrate to the satisfaction of the Township that:

   i. the proposed **development** will not impair the structural integrity or flood control function of the flood protection works;

   ii. the proposed **development** will not reduce access to the flood protection works for inspection, maintenance, or emergency repair; and

   iii. where the flood protection works are located on the subject property, the landowner has been informed of their responsibility for the ongoing maintenance and upkeep of those works.

c) As a condition of **development** approval, the Township may require an easement into the subject property and over the flood protection works for maintenance purposes.

d) The Township shall not permit **development** or **site alteration** that would remove, damage, alter, or undermine the structural integrity or function of any flood protection works identified in the registry in 3.3.2(a), without the prior approval of the Township.

e) The Township may work with the Conservation Authority to develop and distribute plain-language guidance materials to assist private landowners in understanding:

i. The location and extent of any flood protection works on their property;

ii. The maintenance obligations associated with those works, including inspection frequency, vegetation management, and repair of **erosion hazards**, settlement, or structural damage; and

iii. The process for obtaining the necessary approvals before undertaking any **site alteration** to or near flood protection works.

3.3.3 Wildland Fire Hazards

a) There are large, forested areas on Pelee Island, some of which are considered **hazardous forest types for wildland fire**. In reviewing **development** proposals near or within forested areas, the Township shall consult the Ministry of Natural Resources Mapping as illustrated in Appendix 1 to determine if the area may be unsafe due to a wildland fire risk.

b) **Development** shall generally be directed to areas outside of lands that are unsafe for **development** due to the presence of **hazardous forest types for wildland fire**.

c) **Development** may be permitted in lands with **hazardous forest types for wildland fire** where the risk is mitigated in accordance with **wildland fire assessment and mitigation standards**. A Wildland Fire Risk Assessment will consider and document the following factors for the subject lands (to the extent possible):

i. Predominant vegetation (fuel types), particularly those that are high to extreme risk for wildland fire;

ii. Forest condition (e.g., presence of storm or insect damage);

iii. Topography and slope;

iv. Presence of water source(s);

v. Distance to organized response resources (e.g., fire station); and,

vi. access.

3.3.4 Climate Risks and Emergency Management Plans

Climate change exacerbates natural hazards by increasing their frequency, intensity, and unpredictability, compounding risks to people, **infrastructure**, and ecosystems. These impacts are magnified in Island environments due to geographic isolation, limited land base, constrained **infrastructure**, and heightened exposure to climate-driven coastal and weather-related processes.

a) To address these risks, planning and decision-making shall:

   i. Prioritize nature-based solutions including but not limited to living shorelines, riparian buffer restoration, and permeable surfaces where feasible to reduce hazard impacts;

   ii. Design **infrastructure** to withstand future climate conditions, rather than relying solely on historical climate norms; and

   iii. Coordinate land use planning with the Island's emergency management plan to enhance overall resilience.

b) The Township shall update its Emergency Response Plan periodically to ensure that it adequately responds to potential emergencies and is improved as new information becomes available.

3.4 Human-Made Hazards

3.4.1 Waste Management Systems

Former **waste management systems** (waste disposal sites) in the Township are identified on Schedule D. Prior to approving any new **development** within 500 metres of a former **waste management system**, the applicant must submit a study which demonstrates to the satisfaction of the Township that there are no environmental issues associated with the site that may make the lands unsuitable for **development** and that the requirements of the Ministry of Environment, Conservation and Parks guidelines, where applicable, are met. In addition, it must be demonstrated that the water supply will not be negatively affected and that there are no other problems such as leachate, g, other contaminants, rodents or vermin.

3.4.2 Potentially Contaminated Lands

Contaminated lands pose a threat to a public health, ecological health and the natural environment. Often potentially contaminated properties, such as **brownfield sites**, pose an excellent opportunity for **redevelopment** and **intensification**, if they are properly remediated to ensure that there will be no **adverse effects.**

It is the policy of the Township to:

a) To encourage the remediation and **redevelopment** of contaminated or potentially contaminates sites, in accordance with provincial regulations and procedures.

b) Require that **development** applications on land with a historic use that may have resulted in site contamination or is adjacent to known or potentially contaminated sites, complete an Environmental Site Assessments to determine whether contamination exists and determine appropriate remediation requirements so that there will be no **adverse effects**.

c) **Development** shall not occur on potentially contaminated or known contaminated lands, until the necessary studies, remediation work and other measures to mitigate known or suspected hazards have been completed.

d) Where an Environmental Site Assessment has determined that contamination exists and a change to a more **sensitive land use** is proposed, no **development** will occur until the required remediation work and a Record of Site Condition have been prepared by a Qualified Person confirming that site soil conditions meet provincial criteria for the proposed use.

e) The Township may utilize a holding symbol to require the Record of Site Condition as a condition of **development** approval.

3.4.3 Land Use Compatibility

a) **Sensitive land uses** and industry shall be protected from incompatible land uses in accordance with the Provincial Land Use Compatibility D-Series Guidelines. Where a potential land use conflict is identified, the proponent will be required to provide adequate screening, buffering and/or separation in accordance with the Provincial D-Series Guidelines. This may include the requirement for a Land Use Compatibility Study to ensure that an appropriate transition and mitigation measures are in place.

b) Where Provincial D-series guidelines cannot be met, the separation, buffering and screening requirements may be reduced where a land use compatibility study confirms that the reduced requirements will not negatively impact the adjacent development. The Land use compatibility study may include recommended mitigation measures to support a reduce separation distance.

3.4.4 Noise, Vibration, Odour and Other Contaminants

Noise, vibration and odour levels are significant influences on the health and wellbeing of local residents. It is, therefore, critical for the Township to manage relationships between **major facilities**, **sensitive land uses**, noise producing land uses, and the surrounding **transportation system**.

a) New residential or other **sensitive land uses** shall be located away from noise sensitive area unless noise abatement techniques have been implemented to reduce the noise to comply with the Ministry of the Environment sound level criteria/guidelines. In addition, all applicants must demonstrate the following:

   i. There is an identified need for the proposed use;

   ii. Alternative locations for the proposed use have been evaluated and there are

no reasonable alternative locations;

iii. **Adverse effects** to the proposed **sensitive land use** are minimized and mitigated; and,

iv. Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

b) New residential or other **sensitive land uses** will not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants will exceed Ministry of Environment sound level criteria and/or guidelines.

c) The Township can request an applicant submit a Land Use Compatibility Assessment relating to noise, vibration, odour, or other contaminants for any proposed **development** of a **sensitive land use** in proximity to an industrial use, or an existing use that may produce harmful levels of noise, vibration, and/or odour.

3.4.5 Unused Water Wells

a) An unused water well, if not properly plugged and sealed, can contaminate the aquifer and cause a safety hazard to humans, livestock and wildlife. While it is recognized that much of the legislation regarding ground water contamination is Provincial, there are matters which can be considered by Council:

b) When processing development proposals such as severances, plan of subdivisions and rezonings, it should be required, as a condition of approval, that any unused water wells on the property be plugged, according to Provincial Regulations, by a licensed well contractor.

3.4.6 Abandoned Gas and Oil Wells

a) Abandoned Gas Wells are identified symbolically on Schedule D. Petroleum pools and/or abandoned (unused) gas wells may pose a threat to the environment and to public health and safety. The Township shall require that a proponent of **development** determine whether a gas well exists or has existed on the subject lands, and should a gas well be known to exist or have existed, consult with the Province to determine whether a potential hazard exists and if so, what measures can be taken to ensure that the gas well is properly plugged, capped or otherwise made safe in accordance with provincial standards. Specifically:

i. The construction of buildings within 75 metres of an unplugged gas well shall not be permitted. No buildings shall be constructed directly on top of any plugged gas well; and

ii. No new wells shall be drilled within 75 metres from existing residential, institutional, commercial or industrial **development** or within 50 metres from any public road allowance, utility corridor, and electrical transmission line or railway right-of-way.

b) As a condition of approving any **development**, the Township shall require that all existing or abandoned gas wells discovered on the subject site have been properly plugged in accordance with provincial standards prior to **development**. If an existing or abandoned gas well is discovered during **development**, it shall be properly plugged in accordance with provincial standards prior to the continuation of **development**.

c) The Township shall require, on lands where abandoned gas wells are located and at a minimum, that any new building or structure requiring a building permit be reviewed by a qualified professional for the possibility of methane gas infiltration in the building or structure and, where there is a danger of methane gas infiltration, that a detection and ventilation system be designed by a qualified engineer and installed.

d) The Township shall encourage methane gas detection devices be installed in all existing homes and in all existing public, institutional, recreational and commercial buildings.

3.5 Temporary Wayside Pits And Quarries

a) Temporary **wayside pits and quarries**, **portable asphalt plants**, and **portable concrete plants** for public authority contracts may be permitted without an Official Plan amendment or Zoning By-law amendment where permitted by provincial policy and legislation, provided they are temporary, project-specific, and appropriately operated and rehabilitated.

b) **Wayside pits and quarries**, **portable asphalt plants** and **portable concrete plants** that are used on public authority contracts shall be permitted in all areas except those areas of existing development or an area of environmental sensitivity which is determined to be incompatible with extraction and associated activities.

3.6 Source Water Protection and Water Quality

Source water protection policies have been developed under the Essex Region Source Protection Plan (2015; as amended); which implements the *Clean Water Act* directive to ensure that source drinking water is protected for existing and future sources of municipal drinking water.

The *Clean Water Act* requires that municipal decisions under the *Planning Act* or *Condominium Act* within identified **vulnerable** areas must conform to significant threat policies and have regard for other policies in an approved Source Protection Plan.

The policies apply to **vulnerable** areas identified in the Essex Region Source Water Protection Plan, including the Intake Protection Zone, Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers as identified **in** Schedule E. These policies aim to protect the drinking water supply and water quality and supply by protecting source areas from incompatible areas.

3.6.1 General Policies

Within areas identified in an approved Source Protection Plan any use or activity that is, or would be, a significant drinking water threat is required to conform to all applicable Source Protection Plan policies and may be prohibited, managed or otherwise restricted by those Source Protection Plan policies.

3.6.2 Intake Protection Zone and Event Based Areas

Intake Protection Zones are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. The area around the Township's municipal water intake is identified as an Intake Protection Zone.

Intake Protection Zones include Event Based Areas where modeling has demonstrated that a spill from a specific activity can or could cause deterioration to the raw water quality at the drinking water system.

3.6.3 Groundwater

The protection, conservation and careful management of **groundwater features** is necessary to meet both the present and future needs of residents. **Development** and **site alteration** that may be a significant threat will only be permitted within a Highly Vulnerable Aquifer or Significant Groundwater Recharge Area where it has been demonstrated to be in conformity with approved Source Protection Plans.

3.6.4 Source Water Protection Authority

The Township will coordinate with the Essex Region Source Protection Authority to determine the conditions that will be applied to the proposed activity and appropriate actions required to address potential threats to the drinking water. The Township will work with the Source Protection Authority in the monitoring and implementation of the Source Protection Plan.

Where required by policies in an approved Source Protection Plan, all applicable **development** applications within the **vulnerable** area shall be screened in keeping with the source water protection plan policies and/or the Written Direction when provided by the Risk Management Official to satisfy the Source Water Protection Plan policies. This may require the submission or technical studies and/or risk management plans to be prepared by a Qualified professional as part of any **development** or **site alteration** application to identify, assess and mitigate any potential impacts.

3.7 Energy Conservation and Climate Change Adaption

As an Island community, the Township experienced unique vulnerabilities associated with **the impacts of a changing climate**, including increased shoreline **erosion hazards**, fluctuating lake levels, more frequent and intense storm events and flooding, all of which may impact transportation and **essential emergency services** as well as the unique

natural heritage features and areas on the Island.

The Township shall support land use planning decisions that improve the Island's resilience to climate change by:

a) Considering the potential **impacts of a changing climate** on **development**, **infrastructure**, natural systems, and community well-being

b) Protecting and enhancing **wetlands**, shorelines, woodlands, and other natural features that contribute to climate adaptation and resilience;

c) Encouraging compact development patterns within the Settlement Areas and encouraging active and alternative transportation options across the township.

d) Encouraging sustainable **infrastructure**, **low impact development** techniques, water conservation measures, and nature-based solutions;

e) Encouraging the plantings of native and non-invasive plant species with greater resiliency to drought periods and adverse weather conditions such as tolerant native grass species, and silviculture, all leading to an increase in carbon sequestering cover;

f) Implementing the Township's Emergency Response Plan dated December 2023 and undergoing regular updates to support emergency preparedness and adaptation initiatives that improve the community's ability to respond to changing environmental conditions;

g) Completing regular condition assessments of the shoreline protection wall and canal dykes; and,

h) Promoting development patterns that strengthen the long-term environmental, economic, and social sustainability of Pelee.

3.8 Public Space, Open Space and Trails

The Township is well known for its beautiful natural areas, provincial parks and trail system. Some of these lands are designated Open Space or Natural Environment whereas others are identified as trails or parks on Schedule F - Infrastructure. The following policies will guide the development and protection of public spaces, open spaces and trails:

a) The Township will ensure that its trails, public spaces and open spaces are planned to be safe, meet the needs of peoples of various ages and abilities, foster informal social interaction and improve connectivity through the Island.

b) The Township, when reviewing **development** proposals and undergoing new projects, will encourage improved public access to the shoreline.

c) The Township will encourage the development of bicycle racks, water stations, wayfinding and seating to support public spaces and alternative forms of transportation.

d) The Township will ensure that Provincial Parks, Conversation Reserves and other protected areas are recognized and that where new **development** is proposed adjacent to these areas, that they are designed to minimize **negative impacts**.

e) The Township may utilize, where possible, unopened municipal road allowances, easements and other means where available to provide for trails development. The Township may utilize the parkland dedication provisions of this Plan, including the conveyance of land or provision of cash-in-lieu, to expand the parks, open space and trails network.

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4 LAND USE

4.1 Land Use Plan

Schedule 'A' Land Use Plan sets out the land use designations applicable to lands on Pelee Island. The policies relating to each designation are set out in this section.

4.2 Agricultural

4.2.1 Purpose

Agriculture plays an important role in the Township's local economy and local history, with a large proportion of the Island being identified as **prime agricultural lands** and the majority of the Island being identified as part of the **prime agricultural area**. **Prime agricultural areas** are to be protected for long term **agricultural use**. The Agricultural designation seeks to protect agriculture and ensure the ability for farming to adapt in order to take advantage of future opportunities.

4.2.2 Goals

a) To preserve the Island's agricultural base for future **agricultural use** over the long term.

b) To employ an **agricultural systems** approach to maintain a geographically connected and viable agricultural land base, encouraging agricultural and agri-related economic opportunities, and maintaining the long-term productivity of the Island's agricultural sector.

c) To provide flexibility for farm operations to engage in types and scales of agricultural operations suited to the unique potential and the unique constraints of Pelee, including specialized forms of farming such as viticulture, organic farming, seed production, market gardening and native plant nurseries.

d) To prevent conflicts between farm and non-farm activities in agricultural areas.

e) To encourage the retention and enhancement of existing windbreaks, hedgerows and small woodlots in order to prevent soil erosion, protect the high-quality landscape in agricultural areas and to provide linkages between natural environment areas where possible.

f) To direct non-agricultural **development** to **settlement areas**.

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4.2.3 Permitted Uses

Permitted uses in the Agricultural designation shall include:

a) In areas designated Agricultural, the primary use of land will be for **agricultural uses**, which include all types, size and intensities of farms, including farm buildings and structures which are integral to the farm operations and farm worker housing in accordance with Section 4.2.4 of this Plan.

b) In addition to **agricultural uses**, the following uses may be permitted in the Agricultural designation:

i. **Agriculture-related uses** may be permitted via a Zoning By-law Amendment in accordance with the policies contained in Section 4.2.4 of this Plan.

ii. **On-farm diversified uses** may be permitted in accordance with the policies contained in Section 4.2.4 of this Plan.

iii. Limited residential uses may be permitted in accordance with the following:

a. A single detached dwelling on an existing lot of record or accessory to the principal **agricultural use** or **agriculture-related use** of the property.

b. Permitted residential uses may include accessory uses such as Home occupations, home industries, bed and breakfast establishments, of an accessory and subordinate nature appropriate to the rural nature of the site and surrounding area may be permitted.

c. Up to two (2) additional residential units may be established on the same lot as a permitted single detached dwelling in accordance with the policies contained in Section 3.2 of this Plan.

d. Notwithstanding the above, residential use shall not be permitted on any remnant parcel of farmland created following a surplus farm dwelling severance in accordance with the land division policies contained in Section 8 of this Plan.

iv. Extraction of **minerals** and **petroleum resource operations** as an interim use provided the site will be rehabilitated.

v. Extraction of **mineral aggregate resources** as an interim use in accordance with the policies contained in Section 4.2.4 of this Plan.

vi. Passive outdoor recreational uses which do not require the erection of buildings and structures, forestry and conservation uses, and similar uses may be permitted, provided the proposed use does not adversely affect adjacent agricultural operations.

4.2.4 Policies

a) Farm operators are encouraged to adapt their practices to be compatible with or to enhance the general objectives of this Plan, particularly those relating to sustainability and tourism.

b) The Township will promote and protect **normal farm practices** within the Agricultural designation in accordance with provincial standards, including accepted customs and standards for farm operations and the use of innovative technology to advance farm management.

c) Landowners are encouraged to recognize the forest resource as an integral part of their total agricultural operation. Farm operators are encouraged to:

   i. Protect and enhance the natural vegetative cover on their lands by using appropriate conservation practices, and in particular on lower capability soils and in **hazardous lands** and on **hazardous sites** such as major drainage swales and **flood plains** in order to reduce runoff and minimize soil erosion;

   ii. Manage forest resources in accordance with best management practices and in consultation with the Province;

   iii. Retain existing tree cover to the greatest extent possible;

   iv. Encourage the retention and establishment of windbreaks to reduce wind erosion; and,

   v. Encourage reforestation on non-productive farmland.

d) It is the intent of this Plan to prevent the **development** of non-farm related uses within the Agricultural designation and to prevent scattered **development** leading to the unnecessary fragmentation of farmland. Wherever possible, non-farm related uses are directed to locate within or adjacent to **settlement areas** or areas designated for such purposes.

e) Lots shall be of sufficient area to accommodate **individual on-site water services** and **individual on-site sewage services** to the standards of the appropriate authority and in accordance with the policies of this Plan.

f) Existing lots of a size too small to be viable agricultural units are encouraged to consolidate with adjacent farm properties.

g) All **development** in the Agricultural designation shall comply with the **minimum distance separation formulae** established by the Province, as amended from time to time.

h) **Agriculture-related uses** permitted by Zoning By-law Amendment shall comply with the following criteria:

   i. The proposed use is a farm-related commercial or industrial use primarily related to, or serving, the rural economy or agricultural operations;

ii. The lot is adequately sized and configured to support the proposed use and the scale of the operation is appropriate to the site and the surrounding area;

iii. The proposed use is compatible with and does not hinder surrounding agricultural operations;

iv. The proposed use maintains the agricultural/rural character of the area by:

a. Reusing or locating within existing buildings wherever possible, unless an alternative location reduces overall impacts on agriculture in the area;

b. Designing new structures to fit in aesthetically with the surrounding area;

c. Minimizing outdoor storage and lighting;

d. Avoiding major modification to the landscape and removal of **natural heritage features and areas**; and,

e. Visually screening uses from neighbouring properties and adjacent roadways.

v. The proposed use is limited in area and designed to minimize the amount of agricultural land taken out of production;

vi. The proposed use benefits from being in close proximity to farm operations and would not be more appropriately located in or adjacent to a **settlement area**, a rural cluster, or an area with **partial services** or full **municipal water services** and **municipal sewage services**;

vii. The proposed use provides direct products and/or services to agricultural operations as a primary activity; and,

viii. The proposed use meets all applicable provincial standards with respect to air, noise or odour emissions and **sewage and water services** and receives all relevant environmental approvals (e.g., Environmental Compliance Approval under the *Environmental Protection Act*, permit to take water and/or sewage works under the *Ontario Water Resources Act*).

i) **On-farm diversified uses** shall comply with the following criteria:

i. Permitted **on-farm diversified uses** may include home occupations, home industries, bed and breakfast establishments, **agri-tourism uses**, uses that produce value-added agricultural products from the farm operation on the property (value added businesses), and small-scale **alternative energy systems** which serve the property, as outlined in provincial guidelines;

ii. **Agri-tourism uses** permitted as an **on-farm diversified use**, including occasional demonstration events, temporary attractions (e.g., corn mazes), and farm tours, may be subject to a temporary use by-law.

iii. The proposed use is located on a farm and must be clearly secondary to the

principal **agricultural use** of the lot;

iv. The proposed use shall be compatible with and not hinder surrounding agricultural operations;

v. The proposed use shall be limited in size and scale relative to the size of the farm property and designed to minimize the amount of agricultural land taken out of production, ensure agriculture remains the main land use, and limit off-site impacts;

vi. The proposed use does not require site grading and/or drainage, unless it improves conditions for agricultural production;

vii. The proposed use is appropriate to available rural service levels and **infrastructure**, meets all applicable provincial standards with respect to air, noise or odour emissions and **sewage and water services**, and receives all relevant environmental approvals;

viii. Where available, **on-farm diversified uses** should locate within existing agricultural buildings or structures no longer needed to support agricultural production;

ix. The physical structure of any new building should be in keeping with the scale and form of buildings in the surrounding area and designed in such a manner that it can be converted to an **agricultural use** that is appropriate for the farm property at such time as the **on-farm diversified use** ceases;

x. Site plan approval will generally be required to address such matters as entrances, on-site parking, pedestrian pathways, emergency vehicle access, lighting, site grading, fencing, landscaping, drainage, outdoor storage, visual screening, and loading areas; and,

xi. The severance of **on-farm-diversified uses** from the farm lot will not be permitted.

j) The implementing Zoning By-law shall contain specific regulations for permitted **on-farm diversified uses**.

k) Accommodation for full-time farm labour may be permitted in accordance with the following:

i. The size and nature of the operation require additional employment on a year-round basis for the day-to-day operation of the farm or on a seasonal basis over an extended growing season;

ii. Accommodation for full-time farm labour will be directed within the farm building cluster and if not possible, shall be placed on lower priority agricultural lands that comply with the **minimum distance separation formulae** and shall take as little land out of agricultural production as possible; and,

iii. A secondary dwelling on a farm built for the purpose of accommodating a farm

labourer shall not be severed from the farm unit.

l) The permissions for up to two (2) additional residential units on the same lot as a permitted single detached dwelling are in addition to farm worker housing permitted as an **agricultural use**.

m) Lot creation in the Agricultural designation shall be in accordance with the policies contained in Section 8.6 of this Plan.

n) Limited recreational, cultural, and open space uses may be permitted in the Agricultural designation through an amendment to this Official Plan where;

i. The proposed use complies with the **minimum distance separation formulae**;

ii. There is an identified need for additional land to be designated to accommodate the proposed use;

iii. Alternative sites have been evaluated and there are no reasonable alternative locations which avoid **prime agricultural areas**, or where avoidance is not possible, which locate on lower priority **prime agricultural lands**;

iv. Impacts from any new or expanding non-agricultural uses on the **agricultural system** are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an **agricultural impact assessment** completed by a qualified professional in accordance with provincial guidelines; and,

v. The proposed use will have a minimal negative impact on adjacent agricultural operations and to **natural heritage features and areas** identified on Schedule B-2 to this Plan and their **ecological functions** in accordance with the policies contained in Section 5 of this Plan.

o) Land may only be removed from the Agricultural designation for the expansion of an existing **settlement area** or identification of a new **settlement area** in accordance with Section 2.4**Error! Reference source not found.** of this Plan.

p) **Mineral aggregate resource** extraction in the Agricultural designation shall be subject to the following criteria:

i. The site shall be rehabilitated back to an **agricultural condition**, recognizing the interim nature of extraction; and,

ii. Impacts to the **prime agricultural area** are avoided, or where avoidance is not possible, minimized and mitigated as determined through an **agricultural impact assessment** completed by a qualified professional in accordance with provincial guidelines.

q) Notwithstanding the above, complete rehabilitation to an **agricultural condition** will not be required following the termination of **mineral aggregate resource** extraction in the Agricultural designation if:

i. The depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and,

ii. Agricultural rehabilitation in remaining areas is maximized.

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4.3 Rural Lands

4.3.1 Purpose

The purpose of the Rural Lands designation is to recognize inland areas of the Township that are not considered **prime agricultural lands** where **development** that can be sustained by rural service levels can occur. Although Rural Lands are characterized as having lower agricultural capability, the Township supports agricultural activities as the predominant land use, while also encouraging a range of resource-based and non-agricultural economic activities appropriate to the **infrastructure** that is planned and available as well as the rural character of the area. The Rural Lands designation also recognizes areas previously identified for rural residential use and provides limited opportunities for new residential **development**.

4.3.2 Goals

a) To protect agricultural and other resource-related uses by directing non-related **development** to areas where it will minimize constraints on these uses.

b) To promote **development** appropriate to the **infrastructure** that is planned and available and that can be sustained by rural service levels.

c) To encourage agriculture-related businesses and rural-based economic activities.

d) To provide opportunities for sustainable and diversified tourism, including by leveraging historical, cultural, and natural assets.

e) To promote diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources.

f) To recognize areas of existing residential development in inland agricultural areas.

g) To permit the completion and appropriate infilling of existing development patterns.

4.3.3 Permitted Uses

Permitted uses in the Rural designation shall include:

a) All of the uses permitted in the Agricultural designation per Section 4.2.3 of this Plan.

b) Low density residential **development** consisting of single detached dwellings, bed and breakfast establishments, and additional residential units subject to the criteria in Section 4.3.3 of this Plan.

c) Home occupation and home industry uses of an accessory and subordinate nature appropriate to the rural nature of the site and surrounding area.

d) Commercial and dry industrial uses appropriate in scale which are part of and support the rural and agricultural economy.

e) **Institutional uses** that directly serve the needs of the rural community.

f) Cemeteries.

g) Private and public open space uses.

h) Resource-based recreational uses within proximity to a rural resource that supports the use.

i) Forestry, conservation uses, wildlife and fisheries management.

j) Public uses and public and private utilities.

k) The Township may refine the list of permitted uses through the provisions of the implementing Zoning By-law.

4.3.4 Policies

a) **Development** in the Rural Lands designation will be directed to areas:

   i. Where the **development** will not negatively impact or constrain agricultural or resource extraction operations;

   ii. That are well serviced by municipal roads, facilities, and other services;

   iii. That front on a year-round publicly maintained road that does not require any undue extension of the Township's road network; and,

   iv. Where the **development** will not negatively impact the **natural heritage features and areas** identified on Schedule B to this Plan and their associated **ecological functions** in accordance with the policies of Section 5 of this Plan.

b) Lots shall be of sufficient area to accommodate **individual on-site water services** and **individual on-site sewage services** to the standards of the appropriate authority and in accordance with the policies of this Plan.

c) Existing lots of a size too small for viable agricultural production are encouraged to consolidate with adjacent farm properties.

d) All **development** in the Rural Lands designation shall comply with the **minimum distance separation formulae** established by the Province, as amended from time to time.

e) All lot creation in the Rural Lands designation shall be in accordance with the land division policies contained in Section 8.6 of this Plan.

f) Commercial, industrial, recreational, and **institutional uses** within the Rural Lands designation shall be subject to the following criteria:

   i. The use is primarily related to, or serves, the rural economy, agricultural operations, resource extraction, or resource-based recreational activities;

ii. The lot is adequately sized and configured to support the proposed use and the scale of the operation is appropriate to the site and compatible with the surrounding area;

iii. The siting and design of the proposed **development** ensures the adequate provision of off-street parking and loading facilities, appropriate setbacks, suitable landscaping and buffering, and appropriate lighting and signage so as to blend in with the character of adjacent uses; and,

iv. The lot is capable of accommodating the use on the basis of **individual on-site water services** and **individual on-site sewage services** over the long term without **negative impacts** and on-site activities are limited to low water and low effluent-producing uses.

g) The establishment of new cemeteries or enlargement of existing cemeteries shall be subject to site-specific rezoning, with regard to the following considerations:

i. Potential impacts on adjacent existing and planned land uses;

ii. Access to the road system which does not create or exacerbate traffic hazards;

iii. Provision of adequate on-site parking facilities; and,

iv. Screening and landscaping to complement the plot plan and provide buffering with adjacent land uses.

h) **Development** in areas within close proximity to lands designated Extractive Industrial shall comply with the land use compatibility policies contained in Section 3.4.3 of this Plan.

i) The implementing Zoning By-law shall establish an appropriate zone or zones with standards and controls to implement the policies established for the Rural Lands designation.

j) Specific regulations for bed and breakfast establishments, home industries, and home occupations may be included in the implementing Zoning By-law or through controls under the *Municipal Act*.

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4.4 Settlement Areas

4.4.1 Purpose

The Settlement Areas designation recognizes the importance of the areas around the West Dock and the Scudder Dock as the commercial and community focal points for the Island.

4.4.2 Goals

a) To promote commercial and community focal points for Island residents and tourists;

b) To promote broader range of tourist and service commercial, institutional and employment opportunities within the Settlement Areas;

c) To provide for a more diversified range of housing opportunities in the Settlement Areas.

4.4.3 Permitted Uses

Permitted uses in the Settlement Areas designation shall include:

a) Residential uses including single detached, semi-detached, duplex and townhouses, where supported by adequate servicing.

b) Uses accessory to the primary residential use may be permitted provided that such accessory uses are clearly subordinate and incidental to the principal residential use and comply with the applicable Zoning By-law. Permitted accessory residential uses may include home occupations, bed and breakfast establishments and short term rental accommodations.

c) Up to two (2) additional residential units may be established on the same lot as a permitted single detached dwelling in accordance with the policies contained in Section 3.2(c) of this Plan.

d) Commercial uses including retail and service commercial uses, restaurants and take-out restaurants, hotels and motels, public and private recreational uses, marinas and marina storage and repair facilities, business offices, **public service facilities,** institutional and open space uses.

e) Existing employment uses. New employment uses may be permitted subject to a Zoning By-law Amendment provided that such uses do not detract from the amenity of the area as the focal centre for tourist uses. New employment uses such as automotive uses, major repair uses and uses requiring large areas of outdoor storage may be required to be screened using landscaped buffers or increased setbacks from the street frontage.

4.4.4 Policies

a) The West Dock and Scudder Settlement Areas shall be the primary focus for commercial, community service, institutional, mixed-use, residential **intensification**, and tourism-supportive development on Pelee Island. **Development** shall occur in a compact, efficient, and sustainable manner that supports year-round residency, economic development, **active transportation**, **infrastructure** efficiency, and the preservation of the Island's unique character and environmental resources.

b) New **development** that assists the Settlement Areas to become more complete including providing a greater range of goods and services, **housing options** including **affordable** housing and local employment will be encouraged.

c) Council shall encourage housing opportunities that support a stable year-round population.

d) All new **development** will be appropriate to the **infrastructure**, which is planned or available, to avoid the need for unjustified and/or uneconomical expansion of this **infrastructure** and/or the provision of **municipal water and sewer services**.

e) Uses permitted within the Settlement Areas will be subject to meeting servicing and other requirements as set out in this Plan. In general, growth in the Settlement Areas will be limited to infill and minor rounding out of existing development and will be restricted to uses that are sustainable on individual on-site sewage services and **individual on-site water services** or **municipal water services**, as the case may be.

f) Compact mixed use-**development** and **intensification** of underutilized sites will be encouraged within the Settlement Areas designation where adequate servicing exists or is planned to accommodate the use.

g) New **development** will be compatible with the existing uses and scale of the uses and built form within the Settlement Areas.

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4.5 Shoreline Residential

4.5.1 Purpose

The Shoreline Residential designation recognizes the residential areas that have long been located along the Island's Lake Erie shoreline. The designation supports permanent and seasonal residential uses while protecting the Island's shoreline environment as a key priority.

4.5.2 Goals

a) To recognize and maintain the established low-density residential character of shoreline areas by permitting limited infill and **redevelopment**;

b) To protect residential development from shoreline-related natural hazards to the greatest extent feasible;

c) To ensure that new development occurs in a manner in keeping with the capacity of the services available and within the financial capability of the Township; and,

d) To ensure the protection of the natural shoreline environment and **ecological functions**.

4.5.3 Permitted Uses

Permitted uses in the Shoreline Residential area shall include:

a) Low density, limited to single detached dwellings which may include up to one additional residential unit subject to the criteria of Section 3.2(c) of this Plan;

b) Uses accessory to the primary residential use including home occupations, bed and breakfast establishments, and short term rental accommodations.

c) Private and public open space uses; and,

d) Uses that existed legally as of the date of approval of this Official Plan.

4.5.4 Policies

a) Infill development or **redevelopment** on existing lots of record shall represent a form of residential growth that makes efficient use of existing developed shoreline areas and shall not create or extend linear shoreline development patterns into previously undeveloped agricultural areas or natural shoreline areas.

b) Infill residential development and **redevelopment** shall be permitted within the Shoreline Residential designation, provided that the development:

   i. occurs on an existing lot of record or on a lot created in accordance with the land

division policies of this Plan;

ii. is compatible with the existing shoreline character and surrounding pattern of development with respect to lot size, frontage, building height, massing, setbacks, vegetation, and waterfront appearance;

iii. can be adequately serviced by private on-site water supply and sewage disposal systems, to the satisfaction of the appropriate approval authority;

iv. maintains, to the greatest extent possible, natural shoreline vegetation, tree cover, and other natural features that contribute to water quality, erosion control, habitat protection, and scenic character;

v. avoids development within **hazardous lands**, erosion-prone areas, flood-prone areas, or other areas where development may pose a risk to public health or safety;

vi. does not result in adverse impacts on significant natural heritage features, **ecological functions**, **fish habitat**, coastal processes, or water quality;

vii. provides safe and legal access from a public road maintained year-round, or where private access is proposed, demonstrates that appropriate access arrangements are available; and,

viii. conforms to the applicable zoning by-law, including provisions respecting shoreline setbacks, lot coverage, vegetation protection, and accessory structures.

c) New **development** shall comply with the **minimum distance separation formulae**.

d) Some properties designated Shoreline Residential, notably in the vicinity of the east shore, may be incapable of developing due to lot size and natural heritage and/or natural hazard constraints. In some such cases, amalgamation of adjacent lots may enable **development** for residential purposes.

e) The creation of new lots shall be in accordance with the Land Division policies of Section 8.6 of this Plan.

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4.6 Tourist Commercial

4.6.1 Purpose

Lands designated **Tourist Commercial** shall be used for tourist-oriented commercial uses located outside of **Settlement Areas**. This designation shall apply only to lands designated **Tourist Commercial** as of the date of approval of this Official Plan. The designation of additional lands for Tourist Commercial uses shall require an amendment to this Official Plan.

4.6.2 Goals

a) To recognize existing tourist commercial uses outside of the Settlement Areas and designations; and,

b) To provide for future tourist commercial uses as a catalyst to economic growth on the Island.

4.6.3 Permitted Uses

Permitted uses in the Tourist Commercial designation shall include:

a) Existing Resorts and other large scale tourist accommodations;

b) Marinas;

c) Golf courses, mini puts and driving ranges;

d) Tourist recreational facilities;

e) Commercial retail and service uses geared to serving the needs of tourists;

f) Private and public recreational facilities requiring large land areas such as campgrounds and recreation vehicle parks; and,

g) Accessory retail commercial uses may be permitted but shall be limited to those which are ancillary and subordinate to a main permitted use.

4.6.4 Policies

a) New uses and expansions of existing uses shall only be permitted where it has been demonstrated that adequate servicing capacity is available or can be provided to support the proposed **development**. Required services may include individual on-site, private communal, or municipal water supply, wastewater or sewage services, and stormwater management facilities, to the satisfaction of the Township and any other approval authority having jurisdiction.

b) **Natural heritage features and areas** and their **ecological functions** shall be protected from adverse impacts associated with **development** and site alteration. Development and site alteration within or adjacent to **natural heritage features and areas**, or within the

surrounding area, shall only be permitted where it has been demonstrated that there will be no **negative impacts** on the feature or its **ecological functions**.

c) New resort and other large scale tourist accommodations shall only occur on the basis of comprehensive planning and design in accordance with the following:

   i. Development shall only occur by way of a Secondary Plan through an Official Plan Amendment process in accordance with the policies and requirements of this Plan;

   ii. All municipal, communal, or private servicing required to support the ultimate planned build-out of a resort development, large tourist accommodation establishment, or tourist commercial development shall be designed, approved, financed, and constructed during the first phase of development. The creation of additional development phases shall not be used to defer the provision of servicing **infrastructure** required to support the full development.

   iii. Council may require financial assurances, development agreements, holding provisions, or other implementation measures to ensure that servicing **infrastructure** is completed prior to, or concurrently with, the first phase of development.

   iv. Under no circumstances shall the Township be obligated to assume, finance, construct, upgrade, expand, or maintain servicing **infrastructure** required to support a private resort development, tourist accommodation establishment, or tourist commercial use unless otherwise agreed to by the Township.

   v. New development shall be ecologically sensitive; and,

   vi. New development shall demonstrate high standards of architectural design, community design, and energy conservation.

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4.7 Open Space

4.7.1 Purpose

The Open Space designation is intended to recognize and protect lands that contribute to Pelee Island's open space network, including areas that support active and passive recreation, conservation, public access, and the enjoyment of the Island's natural setting.

4.7.2 Goals

a) Maintain and enhance recreational opportunities for residents and visitors;

b) Protect and preserve significant open space resources and scenic landscapes;

c) Support public enjoyment of the Island's waterfronts, parks, trails, and natural areas;

d) Encourage outdoor recreation and tourism opportunities that are compatible with surrounding land uses and environmental features;

e) Promote connectivity between parks, trails, waterfront areas, and other public spaces;

f) Preserve the open and scenic character of shoreline areas and key public viewpoints;

g) Support environmental stewardship and ecological restoration where appropriate.

4.7.3 Permitted Uses

Permitted uses in the Open Space designation shall include:

a) Public and private parks;

b) Conservation and stewardship areas;

c) Beaches and waterfront recreation areas;

d) Passive recreational uses;

e) Outdoor recreational facilities;

f) Walking, cycling, and multi-use trails;

g) Boardwalks, observation platforms, lookouts, and interpretive facilities;

h) Outdoor education, research, and environmental interpretation facilities;

i) Community gardens and demonstration gardens;

j) Picnic areas, pavilions, washroom facilities, and visitor amenities;

k) Cemeteries; and,

l) Accessory buildings, structures, and uses that support a permitted Open Space use.

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4.7.4 Policies

a) The Open Space designation applies to both public and private lands and supports uses that are compatible with the preservation of natural features, community recreation needs, and the Island's rural and shoreline character.

b) The Township shall prioritize the protection, enhancement, and connectivity of waterfront parks, trails, beaches, conservation lands, and publicly accessible open spaces as key components of Pelee Island's identity, tourism economy, community well-being, and environmental resilience.

c) Open Space lands may be publicly or privately owned. The designation of lands as Open Space does not imply public ownership or public access. Where Open Space lands are privately owned, Council shall encourage continued stewardship, environmental enhancement, and voluntary public access opportunities where appropriate.

d) The Township recognizes the importance of the Lake Erie shoreline as a defining feature of Pelee Island and shall encourage the preservation of shoreline open spaces that contribute to public enjoyment, scenic character, **ecological functions**, and tourism.

e) Council shall encourage opportunities to improve physical and visual access to the shoreline through parks, trails, waterfront access points, and public spaces, where appropriate and subject to environmental, ownership, and safety considerations.

f) Council shall support the development and enhancement of an interconnected system of trails, pathways, and **active transportation** routes linking settlements, parks, waterfront areas, community facilities, tourism destinations, and natural areas.

g) New development adjacent to Open Space areas may be encouraged to contribute to trail connections, access improvements, and recreational **infrastructure** where appropriate.

h) New development and site alterations within the Open Space designation shall demonstrate:

   i. Compatibility with the recreational and open space function of the property;

   ii. Adequate servicing where required;

   iii. Protection of natural heritage features and **ecological functions**;

   iv. Protection of public health and safety;

   v. Appropriate parking, access, and circulation;

   vi. Minimal visual impact on the surrounding landscape and shoreline.

4.8 Natural Environment

4.8.1 Purpose

The Natural Environment designation applies to Provincially **Significant Wetlands,** core areas for natural heritage protection and other lands held for the purpose of protecting and enhancing the natural environment.

4.8.2 Goals

a) To protect and enhance Pelee Island's significant natural heritage features and **ecological functions**.

b) To conserve biodiversity, wildlife habitat, migratory bird habitat, and ecological connectivity across the Island and surrounding shoreline environments.

c) To promote environmental stewardship, habitat restoration, scientific research, and public appreciation of the Island's natural environment.

d) To strengthen ecological resilience and support adaptation to climate change while ensuring the long-term protection of the environmental features that define Pelee Island's character and identity

4.8.3 Permitted Uses

Uses permitted in the Natural Environment designation shall include:

a) Existing **agricultural uses**;

b) Conservation, protection, restoration, and enhancement of natural heritage features, **ecological functions**, biodiversity, and wildlife habitat;

c) Nature reserves, conservation lands, and protected areas managed by public agencies, Indigenous communities, conservation organizations, or other recognized stewardship organizations;

d) Environmental monitoring, scientific research, and ecological inventory activities;

e) Habitat restoration projects, invasive species management initiatives, wetland restoration, reforestation, and other environmental enhancement activities;

f) Secondary uses may include educational and passive recreation, such as hiking and bird watching, hunting and fishing, devoted to the natural heritage elements of the lands; and,

g) Existing legally established uses, buildings, and structures recognized in the Zoning By-law.

4.8.4 Policies

a) Within the Natural Environment designation, buildings, structures, and other built facilities shall generally be limited and may be prohibited where such development would negatively impact natural heritage features, **ecological functions**, hazard lands, or the overall environmental integrity of the area.

b) Where permitted, buildings, structures, and facilities shall be limited to those that are necessary to support conservation, interpretation, environmental education, stewardship, low-impact access, or passive recreational uses, and shall be designed, located, and constructed in a manner that minimizes site alteration, vegetation removal, grading, drainage impacts, and disturbance to natural features.

c) Notwithstanding policy 4.8.3, all uses, **development** and **site alteration** shall comply with the Natural Heritage policies of Section 5 of this Plan. For clarity, permitted uses in 4.8.3 may be further limited in order to comply with the policies of Section 5 of this Plan.

d) All of the Out Islands of the Township of Pelee are designated Natural Environment in their entirety.

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4.9 Extractive Industrial

4.9.1 Purpose

The purpose of the Extractive Industrial designation is to recognize existing quarry operations and to provide for, and protect the potential for, future operations in appropriate bedrock resource areas where **significant natural heritage features and areas** and their **ecological functions** will not be adversely affected.

4.9.2 Goals

a) To support a sustainable aggregate industry that contributes to the local and regional economy while maintaining the ecological integrity of Pelee Island;

b) Recognize existing licensed **mineral aggregate operations**;

c) Protect existing **mineral aggregate operations** and **mineral aggregate resources** from activities that would preclude or hinder their continued use or expansion;

d) To ensure **mineral aggregate operations** are planned and operated in a manner that minimizes land use conflicts and protects surrounding residential, agricultural, natural heritage, and tourism-related uses;

e) Ensure that new **mineral aggregate operations** are located where there will be little or no impact on natural heritage features and functions;

f) Ensure that **mineral aggregate operations** are developed in an orderly fashion and thus not creating the necessity for major improvements to Township roads;

g) Ensure that the Haul Routes used are appropriate and future Haul Routes are protected from non-compatible uses; and,

h) To ensure that extraction areas are progressively rehabilitated to support agriculture, conservation, natural heritage enhancement, wildlife habitat, or other beneficial long-term land uses appropriate to the Island context**.**

4.9.3 Permitted Uses

Uses permitted in the Extractive Industrial designation shall include:

a) Licensed quarries and other mineral aggregate extraction operations authorized under the Aggregate Resources Act.

b) Aggregate processing activities, including crushing, screening, washing, blending, stockpiling, and storage of **mineral aggregate resources**.

c) Buildings, structures, facilities, and equipment accessory to a permitted extractive operation, including weigh scales, administration offices, maintenance facilities, equipment storage areas, berms, haul roads, and stormwater management facilities.

d) Aggregate recycling operations that are accessory to and integrated with a licensed

extraction operation.

e) Forestry and woodland management activities.

f) **Agricultural uses,** including crop production and other agricultural activities that do not preclude future resource extraction. Agriculture may occur prior to extraction and following site rehabilitation.

g) Following extraction and rehabilitation, lands within the Extractive Industrial designation may be used for agriculture, conservation, natural heritage enhancement, environmental education, passive recreation, open space, forestry, wildlife habitat restoration, and other uses that are compatible with the rehabilitated condition of the site and the surrounding landscape.

4.9.4 Policies

a) The Township recognizes **mineral aggregate resources** as important non-renewable resources that may support local construction, shoreline protection, **infrastructure**, road maintenance, and Pelee Island's long-term resilience. Their protection and use shall be balanced with the Island's **natural heritage system**, agricultural lands, groundwater resources, settlement areas, tourism economy, cultural heritage resources, and limited transportation capacity.

b) All new **mineral aggregate operations** and expansions to existing **mineral aggregate operations** shall require an Amendment to the Official Plan to the Extractive Industrial designation and an Amendment to the implementing Zoning By-law as well to satisfy the requirements of the *Aggregate Resources Act* or its successor.

c) In order to protect bedrock resources for long-term use, new **development** in the vicinity of lands designated Extractive Industrial will be restricted. **Sensitive land uses** will be permitted only where it has been demonstrated that the probable impacts of existing and future operations (including noise, dust, vibration, fly rock, truck traffic, **surface water feature** and **ground water feature** impacts) can be adequately mitigated.

d) New or expanded **mineral aggregate operations** shall only be permitted where they are consistent with the Provincial Planning Statement, comply with the *Aggregate Resources Act*, and conform to this Plan. Unless otherwise permitted, an Official Plan and Zoning By-law amendment shall be required to establish or expand a Mineral Aggregate Resource designation or extraction operation.

e) Extraction shall not be permitted in **natural heritage features and areas** where prohibited by provincial or federal requirements. Adjacent extraction shall demonstrate no **negative impacts** on the feature or its **ecological functions**.

f) **Mineral aggregate operations** shall be located, designed, buffered, and mitigated to avoid or minimize conflicts with settlement areas, shoreline residential areas, tourism, institutional, park, conservation, cemetery, cultural heritage, and other sensitive uses.

g) Proponents shall demonstrate that haul routes, site access, ferry access, and roads can safely accommodate aggregate movement, having regard to Pelee Island's limited road network, seasonal traffic, farm equipment, cyclists, pedestrians, ferry operations, emergency access, tourism travel, and nearby settlement or shoreline residential areas.

h) Road, entrance, traffic, signage, haul route, ferry coordination, and other transportation measures may be required as conditions of approval and shall be completed before extraction or phased to the Township's satisfaction.

i) Operations shall meet provincial requirements for noise, dust, vibration, air quality, blasting, hours, lighting, fencing, signage, and security. The Township may request licence or site plan conditions for monitoring, reporting, mitigation, and adaptive management.

j) Progressive and final rehabilitation shall be required to minimize disturbed areas, restore ecological and hydrological functions where appropriate, and support compatible agricultural, open space, conservation, habitat restoration, shoreline resilience, or low-impact recreational uses.

k) The Township shall encourage comprehensive rehabilitation planning where multiple aggregate sites exist or rehabilitation can advance natural heritage, agriculture, water protection, climate adaptation, shoreline protection, or appropriate public access objectives.

l) After licence surrender and final rehabilitation, an amendment to this Plan may be required to redesignate the lands for an appropriate long-term use.

m) Development that would hinder access to **mineral aggregate resources** or existing operations shall only be permitted where resource use is not feasible, a greater long-term public interest is served, and compatibility, transportation, agricultural, cultural heritage, environmental, and public health and safety matters are addressed.

n) The Township shall support early consultation with Indigenous communities, the Province, the County, conservation authorities, residents, agricultural and tourism operators, and other affected parties for new or expanded operations, scaled to the proposal and potential impacts.

o) Accessory aggregate uses, including storage, screening, crushing, washing, recycling, stockpiling, offices, weigh scales, and equipment storage, may be permitted where directly related and subordinate to extraction, compatible with surrounding uses, and addressed through applicable approvals

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5 NATURAL HERITAGE

5.1 Natural Heritage Context

The Township of Pelee contains one of Ontario's most distinctive **natural heritage system**s, shaped by its unique location in the heart of western Lake Erie, its temperate Island climate, and its position along one of North America's most significant migratory bird corridors. These characteristics support an exceptional diversity **natural heritage features and areas**, some of which can be found nowhere else in the province. The Township's **natural heritage system** is a defining feature of its identity, contributing to environmental resilience, community well-being, and opportunities for recreation, education, and nature-based tourism that support a sustainable local economy.

The entire Township is considered to be part of the **natural heritage system**, not for the purpose of control or regulation of use, but rather as recognition of the interdependence of functions on the Island and the opportunities that exist for ongoing creation and enhancement of habitat and linkages.

The policies of this Plan and its associated regulations and zoning by-laws along with local stewardship will be used to protect and enhance **natural heritage features and areas** and **ecological functions** for the long term. The protection and enhancement of Pelee Island's **natural heritage features and areas** and **ecological functions**, which collectively make up the Island's **natural heritage system**, is not possible without the active involvement of the Island's residents and its visitors. Provincial programs, local stewardship and educational initiatives through partnerships are essential to maintaining the Island's ecological integrity.

5.2 Natural heritage features and areas

a) The Township's **natural heritage features and areas** include:

   i. Provincially **significant wetlands**;

   ii. **Significant woodlands**;

   iii. **Significant areas of natural and scientific interest**;

   iv. **Significant wildlife habitat**;

   v. **Significant valleylands**;

   vi. **Fish habitat**; and,

   vii. **Habitat of endangered and threatened species**.

b) The Township's known **natural heritage features and areas** are identified on Schedule B. The absence of a **natural heritage feature or area** from Schedule B does not indicate that it is not subject to the policies of this Plan. Any natural heritage feature or area identified through future studies, site investigations, or other approved information sources shall also be subject to the policies of Section 5. Known **natural heritage features and areas** that are not specifically mapped on Schedule B include:

i. **Habitat of endangered and threatened species** are not specifically identified in this Plan because species may be added or removed from lists and habitats change over time. Where an Environmental Impact Study is required to address features which are shown on Schedule B, the study will address the potential for **habitat of endangered and threatened species.** Landowners and land developers are however responsible to ensure compliance with applicable legislation even if an Environmental Impact Study is not required.

ii. **Significant wildlife habitat** is largely unmapped as it generally relates to habitats of specific species and is subject to change over time and is often associated with other key features mapped on Schedule B. Where an Environmental impact study is required to address features which are shown on Schedule B, the study will address the potential for **significant wildlife habitat**.

iii. **Significant woodlands** are not specifically identified but woodlands are shown on Schedule B. A woodland is considered significant where:

   a. The woodland is greater than 4 hectares in size; or

   b. Any interior habitat more than 100 metres from the edge of the woodland.

iv. **Significant valleylands** are not mapped at this time but often overlap with identified **hazardous lands** which follow watercourses in the Township.

d) **Fish habitat** while not individually mapped, is generally considered to be located in the watercourses and waterbodies mapped on Schedule B, unless it is demonstrated otherwise by a qualified professional. Despite the designation that lands may have in Schedule A of this Plan, development 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.

5.3 Feature Specific Policies

a) **Development** and **site alteration** shall be prohibited in provincially **significant wetlands.**

b) **Development** and **site alteration** shall not be permitted in areas of **fish habitat** or **Habitat of endangered and threatened species** except in accordance with applicable provincial and federal requirements.

c) **Development** and **site alteration** shall not be permitted within **all other natural area features and areas** identified in Section 5.2(a) unless is has been demonstrated that there will be no **negative impacts** on the natural features or their **ecological functions through the completion of an Environmental Impact Study to the satisfaction of the Township**.

d) **Development and site alteration shall not be permitted on adjacent lands to any natural heritage feature or area identified in** Section 5.2(a) unless the **ecological function** of the **adjacent lands** has been evaluated through an Environmental Impact

Study to the satisfaction of the Township and it has been demonstrated that there will be no **negative impacts.**

e) No policies in this section are intended to limit the ability of **agricultural uses** to continue.

f) **Infrastructure** may also be permitted in **natural heritage features and areas** in some circumstances in accordance with applicable legislation.

g) For the purpose of this section, **adjacent lands** are defined as:

   i. Lands within 120 metres of a **Significant Wetland**, **Significant Woodland**, **significant wildlife habitat**, **significant areas of natural and scientific interest, significant valleylands and fish habitat**.

   ii. **Adjacent lands** to **habitat of endangered species and threatened species** are generally considered to be 120 m but may differ depending on the species. This Plan will rely on provincial and federal guidance to establish the extent of the **adjacent lands** to **habitat of endangered and threatened species**.

h) If development is proposed on or within 120 metres of an unevaluated wetland that has characteristics or contains components that are typical of a provincially **significant wetland**, a wetland evaluation shall be prepared by a qualified Ontario Wetland Evaluation System evaluator, who is responsible for applying the Ontario Wetland Evaluation System, documenting wetland boundaries and characteristics, and determining whether a wetland meets the criteria for provincial significance. All wetland evaluations shall be forwarded to the MNR for record keeping purposes**.**

i) The Township recognizes that non-provincially **significant woodlands** form an important component of Pelee Island's **natural heritage system**. Through the review of development applications, the Township will encourage the preservation of these features wherever feasible, recognizing their ecological value as habitat for migratory birds and wildlife and their contribution to biodiversity, ecosystem health, and nature-based tourism.

j) The Township may map newly identified **natural heritage features and areas** in the appropriate Zoning By-law when that information is made available.

k) The potential for acquiring other lands determined to be of a high natural heritage priority will also be addressed.

5.4 Lake Erie, Dykes and Shoreline Buffers

Lake Erie and the man-made dykes on the Island provide flood attenuation and water quality benefits, **fish habitat** and other wildlife and functions as a corridor for wildlife movement. It is important that the shoreline of Lake Erie and the dykes be protected and buffered from incompatible uses to ensure that water quality and **wildlife habitat** remains protected for generations to come. To protect these important watercourses, the Township will require that:

a) All watercourses, together with a riparian zone extending a minimum 15 metres from their shorelines or top of bank, are to be protected;

b) The shoreline of Lake Erie shall be protected by a riparian/natural buffer from the normal high water mark. Grading will generally not be permitted within this natural buffer unless written approval is provided by the Conservation Authority or the agency having jurisdiction. The size of the riparian/natural buffer shall be established in the implementing Zoning By-law.

c) When reviewing new lot creation applications, **development**, including the septic tile bed, shall be setback from approximately 30 metres from the high watermark with very limited removal of the shoreline vegetation. A reduced setback may be permitted where supported by a hydrogeological study and environmental impact study without the need for an Official Plan Amendment.

d) For existing lots of record, new **development** will be setback 30 metres if possible, otherwise as far back as the lot permits.

e) These provisions do not apply to prohibit accessory shoreline structures and uses associated with permitted uses along the shoreline.

5.5 Environmental Impact Study

In accordance with the policies of this Plan, an Environmental Impact Study (EIS) is required where **development** or **site alteration** is proposed within or adjacent to **natural heritage features and areas**. The EIS must demonstrate that there will be no **negative impacts** to the feature or its **ecological functions**.

a) Terms of Reference for an EIS shall be required prior to undertaking an EIS. These shall be approved by the Township. The Terms of Reference shall determine whether a complete EIS is required and the nature and scope of the work required to be undertaken.

b) An EIS shall be completed by a qualified professional in accordance with approved guidelines as adopted by the Township and set out in Appendix 2.

c) The requirements for an EIS may be reduced or removed in the following circumstances and only where no **negative impact** is anticipated to the **natural heritage feature and area** or **adjacent lands**:

   i. Where the proposed development is small scale (non-agricultural development); or

   ii. Where the proposed development is on an existing lot of record; or

   iii. Where the development is an addition located away from the feature; or

   iv. Where the proposed development is separated from the feature by a road or existing development; or

   v. Where the development is wholly contained within the existing footprint or includes a minor addition that is > 15m from the feature

d) Peer review shall be a requirement for a complete EIS.

e) The preparation of an EIS as required by the policies of this plan shall be undertaken in accordance with the appropriate guideline or terms of reference and include, but not be limited to, the following:

   i. Site Description and Landscape Context

   ii. Summary of **Development** or **Site Alteration** Proposal

   iii. Environmental Effects

   iv. Mitigation Measures

   v. Monitoring

5.6 Other Considerations

The policies of this Plan will be implemented through a comprehensive zoning by-law.

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6 NATURAL RESOURCES

6.1 Mineral Aggregate Resources

a) Schedule C to this Plan identifies known areas of high potential **mineral aggregate resources** as an overlay to Schedule A Land Use Plan. These are areas of limestone outcropping having less than 3 metres overburden and are constrained by **natural heritage features and areas**. The Environmental Protection areas shown on Schedule B include globally rare alvars containing a variety of **natural heritage features and areas**, **mineral aggregate resources** and **sensitive land uses**. It is intended that land uses will be managed to ensure maintenance of the ecosystems that support the Township's unique biodiversity.

b) High potential **mineral aggregate resources**, which are of primary significance, shall be managed to ensure protection from incompatible uses to allow for future extraction of the resources.

c) Within and adjacent to areas shown on Schedule C, **development** and uses which would preclude or hinder the establishment of new or expanded **mineral aggregate operations** or access to the **mineral aggregate resources** will be permitted only if:

   i. resource use would not be feasible; or

   ii. the proposed land use or **development** serves a greater long-term public interest; and

   iii. public health and safety and environmental impact are adequately addressed.

d) The policies of Section 4.9.4 shall apply to new or expanding **mineral aggregate operations** in all land use designations.

6.2 Mineral Resources

a) While there is currently no production of oil or natural gas in the Township, there is a potential for the exploration, discovery and production of petroleum deposits throughout the Plan area, and beneath the waters of Lake Erie. Should oil, salt or natural gas be found on the Island, they will be identified on **Schedule C.** Should oil, salt or natural gas be found on the Island, **development** and activities in the resource area or **adjacent lands** shall only be permitted where:
   a. The resource use would not be feasible.
   b. The proposed land use or **development** serves a greater long-term public interest.
   c. Issues of public health, public safety and environmental impact area addressed.

b) Petroleum exploration and production is a permitted activity anywhere within the Township, except in Settlement Areas, Shoreline Residential or Tourist Commercial areas and provincially **significant wetlands**, while subject to the requirements of the

Oil, Gas and Salt Resources Act. **Petroleum resource operations** are permitted in Agricultural areas provided that the site is rehabilitated to an **agricultural condition**.

c) Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation is encouraged.

d) There abandoned petroleum wells on the Island as identified on Schedule D – Natural and Human Made Hazards. Separations between **sensitive land uses** and wells will be set out in the Zoning By-law.

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7 SERVICING POLICIES

7.1 General Servicing Approach

a) The Township will foster sound environmental practices in all aspects of servicing existing and new **development** on the Island.

b) Council will pursue partnerships with other public, private sector and not-for-profit organizations to achieve servicing objectives in a manner which is **affordable** and in keeping with this Plan's overall goal of sustainability.

c) Municipal ownership of **sewage and water services** will be the standard for new major **development**. Other forms of ownership may be considered and will be evaluated based on the specific proposal and its merits, the Provincial Planning Statement servicing policies, and discussions with the Township and provincial ministries. Ownership and operation arrangements may be determined through the Master Servicing Plan or Environmental Assessment process, or through an Official Plan Amendment process (which may include a Secondary Plan).

d) The Township will plan to optimize the use of existing **infrastructure** and **public service facilities** prior to considering the development of new **infrastructure**.

e) The Township will support the coordination and efficient provision of **infrastructure** to accommodate growth in a fiscally and environmentally responsible manner.

f) The Township will encourage the strategic location of **public service facilities** and key **infrastructure** near the West Dock Settlement Area.

g) The Township will encourage the co-location of **public service facilities** with one another and open space uses to promote cost effectiveness, **active transportation** and improved access.

h) The Township will encourage the co-location of linear **infrastructure** to promote overall cost effectiveness.

i) The Township shall protect corridors and right-of-way for **infrastructure** to meet projected needs. Where new **development** is proposed adjacent to **planned corridors** it shall be designed to be compatible with the long-term purpose of the corridor and designed to avoid or minimize **negative impacts** and **adverse effects** to the corridor.

7.2 Water and Sewage Services

7.2.1 Servicing Hierarchy

a) Should The Township expand its existing **municipal water services** and develop **municipal sewage services,** this will be the preferred form of servicing in the Settlement Areas.

b) At this time, **municipal water services** are only available in limited areas within the Township including portions of the West Dock **settlement area** and limited properties along East West Road. In these areas, a combination of **municipal water services** and decentralized **municipal sewage services** or **private communal sewage services** are the preferred form of servicing in accordance with

c) The Township will explore opportunities to provide decentralized municipal services to service the remainder of the West Dock **settlement area** and the Scudder **settlement area.**

d) Where **municipal water services** and/or **municipal sewage services** are not available, and where site conditions are suitable for the long term, the Township may explore the feasibility of **private communal water and/or sewage services** in its **settlement areas**, where appropriate. Private communal services will be established in accordance with provincial direction. Approval from the Ministry of Environment, Conservation and Parks, Conservation and Parks (MECP) are required for **private communal sewage services** under the *Environmental Protection Act* and *Ontario Water Resources Act*.

e) Where **development** is proposed on **private communal water services** and/or **private communal sewage services**, the Township shall require the applicant to enter into a Municipal Responsibility Agreement (MRA) that includes the posting of securities equal to the replacement cost of the system(s).

f) Given the limited availability of **municipal water services** and the absence of **municipal sewage services** on Pelee Island, most **development** will continue to rely on **individual on-site water services** and **individual on-site sewage services**. Where municipal or private communal services are not available, new **development** may be permitted on **individual on-site water services** and **individual on-site sewage services**, provided the lot is of sufficient size and suitable to accommodate both **individual on-site water services** and **individual on-site sewage services** with no **negative impacts**.

g) The use of **partial services** shall only be permitted in the following circumstances:

   i. where they are necessary to address failed **individual on-site sewage services** and **individual on-site water services** in existing development;

   ii. within Settlement Areas, to allow for infilling and minor rounding out of existing development on **partial services** provided that site conditions are suitable for the long-term provision of such services with no **negative impacts**; or

   iii. within Settlement Areas where new **development** will be serviced by **individual on-site water services** in combination with **municipal sewage services**, or **private communal sewage services**.

h) Where **partial services** are required to address failed services in accordance with 7.2.1(g)(i), infilling on existing lots of record may be permitted provided site conditions

are suitable for the long-term provision of services with no **negative impacts**.

7.2.2 General Policies

a) The Township shall ensure that municipal services are provided in a manner that:

   i. Can be sustained by the **water resource systems** upon which services rely;

   ii. Is financially viable over their lifecycle;

   iii. Protects human health and safety, the natural environment and water quality; and

   iv. Promotes water conservation and water use efficiency.

b) The Township shall encourage the completion of a Servicing Allocation Study for the West Shore Water Treatment Facility to assess available uncommitted servicing capacity and identify opportunities to reallocate **municipal water services** to support their efficient use and meet current and projected demands within the West Shore Settlement Area.

c) Prior to the approval of any major new **development**, the Township will require that the development be serviced by municipal services or **private communal water service**s or a combination of the two.

d) Council will actively seek to develop a new facility to provide **municipal water services** adequate for the Township's needs in the long term. Provision and funding for such a facility and for the long-term **municipal water service** system will form part of the consideration of any new major **development** proposal on the Island.

e) Council will encourage, and may require, new **developments** which are to be serviced by **municipal water services** or **private communal water services** to incorporate features to promote efficient use and low demand for treated water.

f) Council will collaborate with relevant agencies to develop a septic system management program for the Township. The program shall consider such matters as the Ontario Building Code, facility design and permitting, landowner education and awareness, as well as monitoring and inspections.

g) Consideration will be given to emerging green technologies for wastewater treatment, disposal and reuse.

7.2.3 Communal Servicing

a) **Private communal water services** and **private communal sewage services** may be permitted where **municipal water services** and **municipal sewage services** are not available, planned, or feasible, provided that the long-term protection of public

health and the environment can be demonstrated to the satisfaction of the Township and all applicable approval authorities.

b) The use of **private communal water and/or sewage services** shall generally be limited to developments consisting of multiple lots, units, or buildings that can be more appropriately serviced through a shared system than by individual on-site services.

c) Applications proposing **private communal water and/or sewage services** shall be supported by appropriate hydrogeological, terrain, engineering, environmental, and financial studies demonstrating:

   i. the long-term viability of the proposed system;

   ii. adequate water supply and wastewater treatment capacity;

   iii. no adverse impacts on **groundwater features**, **surface water features**, or adjacent land uses;

   iv. sufficient reserve capacity; and

   v. sustainable operation, maintenance, monitoring, and replacement program.

d) Development on **private communal water and/or sewage services** shall only be permitted where responsibility for the ownership, operation, maintenance, monitoring, repair, and eventual replacement of the system has been clearly established through appropriate legal agreements and financial arrangements.

e) The Township may require securities, reserve funds, asset management plans, or other mechanisms to ensure the long-term operation and maintenance of private communal systems and to minimize financial risk to the Township.

f) New **private communal water and sewage services** shall be designed and constructed in accordance with all applicable provincial legislation, guidelines, and approval requirements.

g) The establishment of **private communal water and sewage services** shall not create an obligation for the Township to assume ownership, operation, maintenance, upgrading, or replacement of the services in the future.

h) Where **municipal water services** and **municipal sewage services** become available, the Township may require connection to the municipal system, subject to the policies of this Plan and any applicable agreements.

i) Proposals for development on **private communal water and/or sewage services** may require an amendment to this Official Plan where deemed necessary by the Township to evaluate matters such as servicing hierarchy, financial sustainability, environmental protection, and compatibility with surrounding land uses.

7.2.4 Servicing and Phasing of Development

a) As a condition of approval for development proceeding by phased construction, all required servicing **infrastructure** shall be installed, operational, and approved as part of the first phase of development.

b) For the purposes of this policy, servicing **infrastructure** includes **municipal water services**, **municipal sewage services**, **private communal water or sewage systems, individual on-site water services**, **individual on-site sewage services**, stormwater management facilities, access roads, and any other **infrastructure** necessary to support the ultimate approved development.

c) The first phase of development shall demonstrate that adequate servicing capacity exists to accommodate the full build-out of the approved development, unless Council is satisfied that additional servicing capacity can be provided through clearly defined future phases without creating operational, environmental, financial, or public health risks.

d) No subsequent phase of development shall proceed until the Township is satisfied that the servicing **infrastructure** approved through the first phase has been constructed, is functioning as intended, and has sufficient capacity to support the approved development.

e) Council may require financial assurances, development agreements, holding provisions, or other implementation measures to ensure that servicing **infrastructure** is completed prior to, or concurrently with, the first phase of development.

f) Under no circumstances shall the Township be obligated to assume, finance, construct, upgrade, expand, or maintain servicing **infrastructure** required to support a private development unless otherwise agreed to by the Township.

7.3 Solid Waste

a) Pelee is a community in which reduction, re-use and recycling of solid waste is integral to life on the Island.

b) The Township will operate and maintain a transfer station system for solid waste, with depots situated strategically on the Island and with disposal on the mainland. The separation of waste streams will be implemented.

c) In partnership with other public agencies and private partners, Council will pursue opportunities to educate residents and visitors in the need for reduction, reuse and recycling of solid waste, and will take steps as necessary to promote and/or enforce

sustainable solid waste management.

7.4 Stormwater

a) Planning for municipal stormwater management will be integrated with planning for **municipal water and sewage services** or **private communal sewage and water services** to ensure that the systems are optimized, feasible and financially viable over their lifetime.

b) The Township shall encourage nature-based stormwater management solutions that complement the Island's drainage network, wetlands, woodlands, shoreline systems, and wildlife corridors. Stormwater facilities shall, where feasible, serve both **infrastructure** and **ecological functions** by enhancing biodiversity, supporting groundwater recharge, improving water quality, and increasing resilience to climate-related flooding and extreme precipitation events.

c) Prior to approval of any major **development** application, Council will require the preparation and approval of a stormwater management plan acceptable to the Township, Conservation Authority, and the Ministry of the Environment. The stormwater management plan will be required to ensure that run-off does not increase peak flows into the open drainage system from a quantity perspective. On-site quality measures may be required prior to release into the open drainage system. Techniques to minimize **erosion hazards** and siltation of open drains and to avoid **adverse effects** on adjacent property owners and the environment will be considered.

d) For plans of subdivision with more than 50 units, resort developments, large tourist accommodation uses, and major commercial, institutional, or **infrastructure**-related development, the Township shall require the submission of a climate-informed stormwater design brief, prepared by a qualified professional, as part of a complete development application. The brief shall demonstrate how the proposed stormwater management system has incorporated climate change projections, including anticipated future rainfall intensity, frequency, duration, flooding, erosion, drainage, and water balance considerations, and shall identify appropriate **low impact development**, **green infrastructure**, and nature-based measures to retain stormwater on site, protect receiving water bodies and drainage systems, and ensure that the development will not increase stormwater-related risks on-site or on **adjacent lands** under projected future climate conditions.

e) No **development** will be approved that results in post-development run-off rates that are greater than pre-development run-off rates for storms up to and including the 100-year flood event or does not meet criteria imposed by the Conservation Authority and/or Township.

f) Notwithstanding 7.4(b), for small scale changes to existing development, applicants will be required to demonstrate that existing drainage patterns are to be maintained. If these patterns cannot be maintained, a more detailed stormwater management plan per 7.4(c) and 7.4(d) if applicable, shall be required.

g) Stormwater Management facilities may be permitted accessory to a permitted use, in all designations except the Natural Environment designation.

h) The use of **low impact development** principles and measures, where reliance on such facilities are within a public property or private property and not within a right-of-way, such as permeable surfaces, soft landscaping and other factors that impact on stormwater management are encouraged through the preparation of stormwater management plans and existing ground water recharge rates shall be maintained in **development**, where possible.

i) Since the drainage system on Pelee Island also serves as an existing and potential wildlife corridor between natural areas, the integration of natural vegetative features adjacent to and within new stormwater facilities shall be maximized, where appropriate.

7.5 Energy

a) The Township will promote energy efficiency and may require energy efficient features to be incorporated into any new **development**.

b) Council will seek to secure an adequate stable and sustainable energy supply for the Island.

c) Council will encourage alternative and **renewable energy sources** but does not support wind turbines given its potential **negative impacts** to bird migratory routes.

d) For any proposed energy generation or transmission facility, the Township shall require the proponent to proceed through any applicable environmental regulatory processes, and a Zoning By-law Amendment.

e) Notwithstanding Policy 7.5(d), small-scale **renewable energy systems**, excluding wind turbines, shall be permitted as **on-farm diversified uses**, provided the energy generated is intended primarily for on-site use.

f) For **renewable energy systems** which produce electricity for off-site users, the approval process will evaluate and assess:

   i. Whether the nature, scale and impact will be appropriate, understood and where possible any identified impacts can be mitigated;

   ii. Noise generated and humming of any substations or power lines;

   iii. Impacts to agriculture including drainage, soil conservation and productivity, number of hectares taken out of production, and field fragmentation;

   iv. Impacts to the natural environment including migratory birds;

   v. Impacts to cultural and **built heritage resources**, **archaeological resources**

and recreational areas;

vi. Aircraft safety;

vii. Potential electromagnetic interference to communications **infrastructure**;

viii. Emissions from dust, noise, contaminants, odour

ix. Where appropriate, the preparation of management plans addressing decommissioning, rehabilitation, traffic management, preventative maintenance, emergency management and other issues that may become apparent.

g) The Municipality may impose limits on the extent, height, property line setbacks and location of any proposed energy generation and/or transmission facility when exercising its authority under the *Planning Act*.

h) Nothing in this section is intended to limit the use of roof-mounted solar panels.

7.6 Transportation

7.6.1 Off-Island Connections

a) Transportation connections are critical to the ability of the Island community to survive and flourish, and for the enhancement of economic activity on the Island. The Pelee Island Transportation Service has been managed under contract with the Ministry of Transportation since 1992.

7.6.1.1 Ferry Services and Marinas

a) Council will work with stakeholder groups to seek improved ferry service to the Canadian and American mainlands.

b) Applications for major new **development** may require analysis of the effect the new **development** will have on the Pelee Island ferry service. Relevant information will be circulated to the Ministry of Transportation for comment.

c) Council will consider the creation, expansion or upgrading of marinas on the Island as a means of improving off-Island connections and enhancing tourism.

d) The Township will encourage the development of bicycle parking facilities and wayfinding near the marinas.

7.6.1.2 Airport and Other Air Travel

a) Council will consider potential upgrades to the municipal airport to improve air service and to enhance tourism.

b) The airport will be protected from land use conflicts and **sensitive land uses** will be

prohibited to locate in proximity to the airport. Zoning By-law Amendments which seek to increase the height of buildings and structures in proximity to the airport will be required to receive confirmation from the airport that the proposed structure will not interfere with a flight path.

c) Council will promote a means of improving winter connections to the mainland.

d) The development of a helicopter landing area in proximity to the Township office is encouraged as a means to provide emergency access on and off Island.

7.6.2 On-Island System

7.6.2.1 Roads

a) The Township will maintain a system of roads for the safe essential movement of people, goods and emergency vehicles.

b) Council will encourage, and may regulate where appropriate and possible, the use of roads so as:

   i. to minimize conflicts between cars, trucks, cyclists and pedestrians;

   ii. to minimize conflicts with wildlife;

   iii. to promote an environmentally progressive image for the Island.

c) Council will encourage the use of appropriate environment-friendly alternative transportation modes, and may alter the design of some roads, and may provide for parallel pathways, in order to facilitate such modes.

d) Council will seek to minimize the use of private automobiles on the Island by promoting, and maintaining a trail system which can accommodate walking, cycling and other **active transportation** opportunities and seeking opportunities to expand the trail system in the Township.

e) Council will encourage the development of trail systems which provide east-west connections and connections to tourist facilities, marinas and local businesses.

f) Council may prepare a pedestrian and bicycle circulation plan and proceed with the development of such facilities. The pedestrian and bicycle circulation plan may address such matters as:

   i. provisions for safe and unobstructed pedestrian walkways and paths;

   ii. minimization of potential conflict with other modes of transportation;

   iii. integration of the pedestrian and bicycle circulation system with natural amenities such as open spaces; and

iv. policies for the acquisition and dedication of lands to be developed as part of the pedestrian and bicycle circulation system.

g) Council will encourage the development of a separate trail system to accommodate alternative vehicles such as ATVs and snowmobile

7.7 Communications Infrastructure

a) Communications **infrastructure**, including wireless telecommunications facilities, fibre optic networks, broadband **infrastructure**, tower and antenna systems, marine and emergency communications facilities, and related communications facilities, are recognized as essential **infrastructure** that support Pelee Island's long-term economic, social, environmental, and community resilience objectives.

b) The Township acknowledges that telecommunications towers and antenna systems are regulated by the Government of Canada pursuant to the Radiocommunication Act. Nothing in this Plan shall be interpreted as regulating telecommunications towers and antenna systems or limiting the authority of the Government of Canada under the Radiocommunication Act.

c) Municipal comments respecting telecommunications proposals are advisory and are intended to assist the federal approval authority in its decision-making process. Through the federal consultation process, the Township may provide comments respecting:

i. consistency with the objectives of this Official Plan;

ii. compatibility with surrounding land uses;

iii. agricultural impacts;

iv. opportunities for **infrastructure** sharing;

v. municipal road access and servicing considerations;

vi. environmental and cultural heritage considerations; and,

vii. community consultation outcomes.

d) The policies of this Official Plan guide the Township's participation in the federal consultation process, with regard for Pelee Island's limited land base, rural and agricultural character, significant natural heritage features, cultural heritage resources, shoreline setting, and unique servicing and emergency response considerations.

e) The Township supports communications **infrastructure** that supports:

i. a resilient and connected Island community;

ii. agricultural innovation and productivity;

iii. emergency preparedness and public safety;

iv. economic resilience, small business development, and year-round service delivery;

v. remote employment and education opportunities;

vi. tourism, hospitality, marine access, and rural business development; and

vii. access to government, health care, and community services.

f) Planning decisions respecting municipal comments on communications **infrastructure** proposals shall balance:

i. the need to improve connectivity;

ii. protection of Pelee Island's agricultural land base and **normal farm practices**;

iii. compatibility with settlement, residential, shoreline, agricultural, tourism, open space, and natural environment areas;

iv. stewardship of the Island's significant natural heritage features, shoreline areas, wetlands, woodlands, habitat areas, and **ecological functions**;

v. efficient **infrastructure** investment; and

vi. long-term community resilience, including emergency response, transportation reliability, and continuity of essential services during weather-related or seasonal disruptions.

g) The Township recognizes that technical and operational requirements may limit the ability to avoid agricultural lands or achieve all preferred siting objectives. Where communications **infrastructure** is proposed within agricultural areas, proponents should, where technically feasible:

i. minimize the amount of **prime agricultural land** removed from production;

ii. minimize disruption to **normal farm practices**;

iii. utilize existing access roads where practical; and,

iv. locate facilities adjacent to existing lot lines, road allowances, utility corridors, field edges, existing **infrastructure**, farm lanes, or other disturbed areas where appropriate.

h) Communications **infrastructure** shall support the long-term viability and growth of the Township's Settlement Areas by improving access to digital services, emergency communications, businesses, and community facilities. Within or adjacent to Settlement Areas, proponents are encouraged, where technically feasible, to:

i. utilize existing structures or **infrastructure**;

ii. minimize visual impacts on established residential areas;

iii. integrate facilities into existing **infrastructure** corridors where practical; and,

iv. incorporate landscaping or other design measures that improve compatibility.

i) The Township recognizes that technical requirements and federal approval processes may limit the ability to avoid all environmental or heritage constraints and that these matters shall be considered on a site-specific basis. Communications **infrastructure** should, where technically feasible:

i. minimize impacts on significant natural heritage features and **ecological functions**;

ii. minimize impacts on watercourses, wetlands, and woodlands;

iii. minimize impacts on **built heritage resources** and **cultural heritage landscapes**; and,

iv. restore disturbed lands following construction where appropriate.

j) The Township encourages the efficient use, optimization, and sharing of existing communications **infrastructure** where technically and operationally feasible. Where possible, existing communications **infrastructure** should be optimized, upgraded, expanded, or shared before constructing new **infrastructure**. The Township recognizes that new communications **infrastructure** may nevertheless be necessary to achieve technical coverage objectives, improve network capacity, enhance public safety, or accommodate future technological advancements.

k) The Township shall work collaboratively with telecommunications service providers, Indigenous communities, provincial agencies, and the Government of Canada to improve communications services throughout the municipality.

l) The Township shall encourage proponents to engage with the Township early in the planning process to identify opportunities for **infrastructure** sharing, improve compatibility, and address local planning considerations prior to formal federal consultation.

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8 IMPLEMENTATION

This section identifies the key mechanisms that will be used by the Township to implement the policies of this Official Plan. The methods of implementing the Official Plan policies, as identified, are not all-encompassing and must be read in conjunction with the other policies of this Plan.

8.1 Conformity with the Official Plan

No public work shall be undertaken, and no by-law shall be passed for any purpose, unless such public work or by-law conforms to this Official Plan, except as otherwise provided in subsections 24(2), 24(3), and 24(4) of the *Planning Act*.

8.2 Official Plan Amendments

Amendments to this Plan may be undertaken in accordance with the provisions of the *Planning Act*. Official Plan Amendments may be initiated by the Township or by a private applicant. Township-initiated amendments are generally intended to better bring the Official Pla into conformity with Provincial directives or to implement a policy direction of Council. Applicant-initiated amendments generally seek to amend Official Plan policies applying to a specific property or area within the Township.

8.2.1 Township-Initiated Official Plan Amendments

a) The Township may initiate amendments to this Plan prior to the next comprehensive Official Plan Review where such amendments are necessary or desirable to implement a Council-directed policy direction, respond to local planning matters, or address emerging issues affecting Pelee Island. The Official Plan may be revised, as required, to ensure that it conforms with, or does not conflict with, applicable provincial plans; has regard to the matters of provincial interest identified in Section 2 of the *Planning Act*; and is consistent with policy statements issued under Subsection 3(1) of the *Planning Act*. Prior to adopting such amendments, Council shall consult with the provincial approval authority and prescribed public bodies, and shall hold a special meeting of Council that is open to the public.

b) In accordance with the requirements of the *Planning Act*, the Official Plan shall be subject to a comprehensive review not less than every five years after it comes into effect. The purpose of the review is to ensure that the policies of the Official Plan remain appropriate, effective, and responsive to current provincial policy and legislation, while continuing to reflect the unique local context, servicing conditions, environmental characteristics, settlement pattern, and community needs of Pelee Island.

8.2.2 Applicant-Initiated Official Plan Amendments

a) Applications to amend the Official Plan may be submitted by any person or public body and shall be considered in accordance with Section 22 of the *Planning Act* and the policies of this Plan.

b) Approval of an applicant-initiated amendment to the Official Plan shall require that the proposed amendment:

   i. has regard to matters of provincial interest as set out in Section 2 of the *Planning Act* and is consistent with any policy statements issued under Section 3 of the *Planning Act*; and,

   ii. conforms with the applicable policies and intent of this Official Plan.

c) Applications to amend the Official Plan shall be circulated to public authorities and agencies having an interest in the subject lands or affected area, which may include the applicable Conservation Authority, local school boards, provincial ministries, and other agencies with jurisdiction or interest in Pelee Island.

d) Prior to the approval of an amendment to this Plan, Council shall hold at least one public meeting in accordance with the requirements of the *Planning Act* and the consultation policies of Section 8.9.4 of this Plan.

8.3 Land Use Controls

It is the policy of this Plan that the Township shall rely upon and apply the enabling statutory tools, authorities, and development approval processes provided by the *Planning Act* to implement the policies of this Official Plan.

8.3.1 Secondary Plans

Secondary Plans may be prepared where more detailed planning direction is required for a specific area of Pelee Island, including for a new resort or large scale tourist accommodations, the West Dock and Scudder Settlement Areas, waterfront or shoreline redevelopment areas, institutional or mixed-use developments, and areas affected by servicing, access, groundwater, agricultural, natural heritage, shoreline hazard or environmental constraints. Where a Secondary Plan is required, the following shall apply:

a) A Secondary Plan shall be adopted as an amendment to this Plan and shall establish a coordinated framework for land use, built form, servicing, transportation access, natural heritage protection, shoreline and hazard land management, public realm improvements, phasing and implementation.

b) Development or site alteration requiring approval under the *Planning Act* shall not proceed until the Secondary Plan has been adopted and any required implementing zoning, servicing, environmental or **infrastructure** studies have been completed to the satisfaction of the Township and applicable approval authorities.

c) A Secondary Plan shall generally address:

i. the planning rationale for the area;

ii. land use designations and development strategy;

iii. permitted uses and built form;

iv. protection of Pelee Island's agricultural land base, **natural heritage system**, shoreline, groundwater resources and cultural heritage resources;

v. shoreline **flooding**, **erosion** and **dynamic beach hazards**;

vi. transportation, ferry, harbour, airport and emergency access considerations;

vii. water, wastewater, stormwater and drainage requirements;

viii. parkland, trails, public shoreline access and community facilities;

ix. phasing and **infrastructure** financing; and,

x. applicable zoning, site plan control, and/or holding provisions requirements.

d) In determining the scope and content of a Secondary Plan, the Township may require supporting studies, reports, plans and technical analyses, prepared by qualified professionals and completed to the satisfaction of the Township and applicable approval authorities, to demonstrate that the proposed planning framework is appropriate for the Island context and can be implemented in a sustainable, coordinated and financially responsible manner. Such studies may include, but are not limited to:

i. natural heritage evaluations, environmental impact studies and studies addressing ecological restoration, habitat connectivity, species at risk and the protection of significant natural features and functions;

ii. shoreline hazard, floodplain, erosion, dynamic beach, coastal processes and climate resilience studies, including consideration of Lake Erie water levels, storm events and long-term shoreline change;

iii. hydrogeological, groundwater protection, private servicing, water supply, wastewater, stormwater management and drainage studies;

iv. **agricultural impact assessments** and studies addressing compatibility with agricultural operations and protection of the Island's agricultural land base;

v. transportation, ferry, harbour, airport, **active transportation**, emergency access and evacuation studies, including consideration of seasonal access constraints and emergency response capacity;

vi. archaeological assessments, cultural heritage evaluations, cultural heritage impact assessments and engagement with Indigenous communities, as required;

vii. land use compatibility, noise, vibration, air quality, visual impact, public realm, urban design, landscape and community design studies, where applicable;

viii. **infrastructure**, phasing, fiscal impact, financial implementation and asset management studies addressing the cost, timing and long-term maintenance of required municipal services and facilities; and,

ix. any other studies, plans or information required by the Township, Province or other approval authority to evaluate the proposed Secondary Plan and its conformity with this Plan, the *Planning Act*, the Provincial Planning Statement and other applicable legislation, plans and guidelines.

e) Secondary Plans shall demonstrate that development can be supported by appropriate, sustainable and financially responsible servicing and **infrastructure**, having regard to the Island's limited municipal capacity, private servicing constraints, groundwater protection, ferry and seasonal access limitations, emergency response, public health and safety, and the long-term maintenance of municipal services.

f) Secondary Plans shall protect and enhance Pelee Island's ecological integrity by recognizing the Island as a single ecological unit, directing development away from Natural Environment areas, environmentally sensitive lands and hazard lands, and supporting opportunities for stewardship, ecological enhancement, habitat connectivity and low-impact ecotourism where appropriate.

g) The preparation of a Secondary Plan shall include public engagement and early consultation with Indigenous communities, agencies, landowners, residents, agricultural operators, tourism operators, conservation organizations, ferry and transportation service providers, businesses and other interested stakeholders.

h) Secondary Plans may be implemented through zoning by-law amendments, holding provisions, site plan control, development agreements, community planning permit systems, servicing allocation, phasing requirements, monitoring programs or other tools available under the *Planning Act*.

i) Despite any other policy of this Plan, Council may require a Secondary Plan for any proposal involving more than 25 residential units, a new or expanded resort or large scale tourist accommodation development, or development on lands greater than 5 hectares where the proposal may affect municipal or private servicing, ferry or **transportation systems**, agricultural lands, natural heritage resources, groundwater resources, shoreline conditions, hazard lands or the long-term sustainability of the Island community.

8.3.2 Zoning By-Laws

a) Council will prepare and adopt a Comprehensive Zoning Bylaw to implement this Plan and will undertake regular reviews in accordance with the requirements of the *Planning Act*.

b) The implementing Zoning By-law may establish more restrictive standards than the Official Plan and is not required to permit the full range of uses, built forms, or building heights contemplated by this Official Plan in every circumstance.

c) Following a comprehensive update of the Official Plan, the Township will update its Zoning by-law to conform with the updated Official Plan within three years of the adoption of the amended Official Plan.

d) Until such time as the zoning by-law is amended, the existing zoning by-law will remain in effect. However, any Amendment to the existing zoning by-law is required to be in conformity with this Plan.

e) In accordance with Section 24 of the *Planning Act*, no Zoning By-law shall be passed unless it conforms with this Plan.

8.3.3 Minor Variances

a) Where relief from one or more provisions of the Zoning By-law is limited in scope and does not warrant a Zoning By-law Amendment, the Committee of Adjustment may consider an application for minor variance in accordance with Section 45 of the *Planning Act*.

b) A minor variance may permit development that does not strictly comply with the Zoning By-law, provided the requested relief is appropriate, limited, and consistent with the statutory tests established under the *Planning Act*.

c) In evaluating a minor variance application, the Committee of Adjustment shall be satisfied that the requested variance is:

i. Minor in nature;

ii. In keeping with the intent of the Comprehensive Zoning By-law;

iii. In keeping with the intent of the Official Plan; and,

iv. An appropriate and desirable use of land.

d) The Committee of Adjustment may impose conditions of approval, where authorized by the *Planning Act*, to ensure that the approved variance is implemented appropriately and that potential impacts are addressed.

8.3.4 Holding By-laws

Certain areas will be zoned for their intended uses but will have a holding (H) symbol added to delay the final approval of **development** until such time as conditions specified in the by-law are met. These conditions may include:

a) The submission of necessary technical studies to support development;

b) The landowner/developer undertaking an archaeological assessment, to the satisfaction of the Province, by an archaeologist licensed under the Ontario Heritage Act, and conserving any significant **archaeological resources** and/or removal and documenting or preserving on site, to the satisfaction of the Province;

c) Confirmation that adequate water and sewage services are available;

d) The landowner/developer satisfying all financial requirements of the Township;

e) The landowner/developer addressing any site contamination or other environmental constraints on the site; and,

f) Any other condition or requirement as deemed necessary by the Township.

8.3.5 Temporary Use By-laws

a) Council may, in a By-law passed pursuant to Section 39 of the *Planning Act*, authorize the temporary use of lands, buildings or structures for any purpose that is otherwise prohibited by the Zoning By-law.

b) A temporary use by-law will specify:

i. the area to which the by-law applies;

ii. the permitted use(s) and provisions for the applicable area; and

iii. the period of time for which the by-law is in effect, to a maximum of three years.

c) Notwithstanding Section 8.3.5(b) above, Council may enact one or more additional by-laws to continue the temporary use for a further period of time up to but not exceeding an additional three years.

d) Prior to the approval of a Temporary Use By-Law, the Township shall be satisfied that

the following criteria are met:

i. The use is intended to operate only on an interim basis and would not require substantial buildings, works, or financial commitments that could make its removal or discontinuation difficult once the Temporary Use By-law expires;

ii. The proposed use shall be compatible with adjacent land uses and the character of the surrounding community;

iii. The proposed use shall not require the extension or expansion of existing municipal services;

iv. The proposed use shall not create any traffic circulation problems within the area, nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;

v. Parking facilities required by the proposed use shall be provided entirely on site; and

vi. The owner has entered into an agreement with the Township and posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the By-Law.

e) Where a temporary use by-law expires without being extended, any use authorized by that by-law shall discontinue and shall not acquire legal non-conforming status under the governing Zoning By-law.

8.3.6 Interim Control By-laws

a) Where Council considers it necessary to complete a land use planning review or study for a defined area, the Township may pass an Interim Control By-law in accordance with Section 38 of the *Planning Act*. An interim control by-law may temporarily restrict the use of land, buildings, or structures within the area subject to the by-law, except for those uses expressly permitted by the by-law. An Interim Control By-law shall:

i. identify the lands to which it applies;

ii. state the purpose of the interim control by-law, including the planning matter, review, or study being undertaken;

iii. specify the period during which the by-law is in effect, which shall not exceed one year from the date it is passed, unless extended in accordance with the *Planning Act*; and

iv. set out any uses, buildings, or structures that are expressly permitted while the Interim Control By-law is in force.

b) Prior to expiry, Council may extend an Interim Control By-law, provided that the total

period during which the by-law is in effect does not exceed two years from the date it was first passed.

c) Where the applicable review or study has been completed and no implementing amendment to the Zoning By-law has been passed before the interim control by-law expires, the zoning that applied immediately before the interim control by-law came into force shall again apply to the subject lands.

d) Following the expiry or repeal of an interim control by-law, Council shall not pass another interim control by-law applying to the same lands for a period of three years.

8.3.7 Site Plan Control

a) The entire Township of Pelee is designated as a Site Plan Control Area.

b) In order to improve the efficiency of land use and servicing, and to encourage a more attractive and sustainable form of **development**, Site Plan Control will have the following objectives:

i. To ensure a high standard of the site design for new **development**;

ii. To ensure safety and efficiency of vehicular and pedestrian access.

iii. To minimize incompatibilities between new and existing development.

iv. To ensure appropriate measures to protect **natural heritage features and areas** and their **ecological functions**.

v. To ensure that the location of driveways, parking, loading and garbage collection facilities do not conflict with vehicle traffic or result in unsafe conditions.

vi. To secure easements and **site alteration** necessary for public utilities and site drainage.

vii. To ensure that the **development** proposed is built and maintained as approved by Council.

c) Site plan control will apply to all types of new **development** and to the expansion of existing uses within the Township, with the exception of residential buildings containing up to 10 dwelling units and agricultural **development** other than **on-farm diversified uses** and **agriculture-related uses**.

d) Site Plan control may be imposed for a lot containing less than 10 residential dwelling units where such lot is located within 120 metres of a waterbody. The Township will also require the submission of drawings as detailed in Section 41(4) of the *Planning Act*, for all other residential buildings.

e) The following matters relating to buildings are not subject to site plan control:

   i. Interior design;

   ii. Exterior design except to the extent that it is related to exterior access to a building containing **affordable** housing or to any part of a building relating to the construction of a green roof;

   iii. The layout of interior areas, excluding interior walkways, stairs, elevators and escalators; and,

   iv. The manner of construction and standards for construction.

f) The Township may require the dedication of roads, trails and public open spaces as a condition of Site Plan Control.

8.4 Non-Conforming Uses

8.4.1 Legal Non-Conforming Uses

a) Certain uses that legally existed prior to the adoption of a Comprehensive Zoning By-law but are not permitted in that same By-law are referred to as legal non-conforming uses. Legal non-conforming uses are allowed to continue to exist, provided no alterations, expansions or changes of use are made. All alterations, expansions or changes in use require approval by the Committee of Adjustment.

b) It is the policy of the Township that legal non-conforming uses should cease to exist in the long run. Legal non-conforming buildings or structures may be repaired, renovated, or reconstructed provided there are no increases to extent of non-conformity with permitted uses or non-compliance of the use, building, or structure with provisions of the zoning by-law. Additions, expansions or changes in use which do not meet the requirements of the Comprehensive Zoning By-law should be discouraged.

c) In considering non-conforming uses in natural hazard lands, reconstruction may be permitted in a different location on the same property provided it is further from the source of the natural hazard. Height and volume may be increased for the purpose of addressing floodproofing or other hazards.

d) The Township recognizes that circumstances may exist where changes to legal non-conforming uses may be desirable given their economic, cultural, social or historical importance to the community. In such cases, the Committee of Adjustment may grant permission for an addition, expansion or change in use.

e) A change in use of a legal non-conforming use to a use which is still not in compliance with the Comprehensive Zoning By-law, but which is more compatible than the existing use, may be permitted by the Committee of Adjustment.

f) When deciding to permit a change to a legal non-conforming use under section 45(2) of the *Planning Act*, the Committee of Adjustment shall consider:

i. whether the application is desirable for appropriate development of the subject property; and

ii. whether the application will result in undue adverse impacts on the surrounding properties and neighbourhood.

g) The Committee of Adjustment may place conditions on the approval for the addition, expansion or change in use of non-conforming uses.

h) Where a legally established use does not conform with the policies of this Plan, Council may consider recognizing the use as a permitted use in the Zoning Bylaw, where it is satisfied that:

i. The use is not incompatible with, or harmful to, nearby uses;

ii. The use will not detract from the future intended land uses for the area;

iii. The zoning would not set a precedent to encourage similar uses in the area.

8.4.2 Legal Non-Complying Uses

a) Situations may exist where the present use of a parcel of land is permitted in the zone in which it is located, but the buildings located on the property do not meet one or more of the provisions of the zone. These situations are known as legal non-complying uses.

b) It is the policy of the Township to permit the expansion, alteration and addition to a legal non-complying use, without Committee of Adjustment approval, provided that:

i. The expansion, alteration or addition does not further aggravate the existing non-compliance of the use; and,

ii. The expansion, alteration or addition does not create another non-compliance with the By-law.

c) Where expansions to these uses are not permitted as-of-right in the zoning by-law, the Committee of Adjustment may permit expansions to these uses through a minor variance approval under section 45(2) of the *Planning Act*. When deciding to permit a change to a legal non-conforming use under section 45(2) of the *Planning Act*, the Committee of Adjustment shall consider:

i. whether the application is desirable for appropriate development of the subject property; and

ii. whether the application will result in undue adverse impacts on the

surrounding properties and neighbourhood.

8.5 Committee of Adjustment

a) The Township shall appoint and maintain a Committee of Adjustment in accordance with Sections 44, 45 and 53 of the *Planning Act*. The Committee shall consider and make decisions on applications relating to:

i. minor variances, in accordance with Section 8.3 (Land Use Controls) of this Plan;
ii. consents, in accordance with Section 8.6 (Land Division) of this Plan; and,
iii. changes, extensions or enlargements to legal non-conforming uses, in accordance with Section 8.4 (Non-Conforming) of this Plan.

b) In reviewing applications, the Committee shall have regard to the policies of the Official Plan and provisions of the implementing Zoning By-law and shall be satisfied that any decision upholds the general intent and purpose of both documents.

c) The Committee of Adjustment may impose conditions on the approval of a minor variance application where such conditions are considered necessary, appropriate, or in the public interest.

d) As a condition of approval, the Committee of Adjustment may require the landowner or applicant to enter into one or more agreements with the Township. Where appropriate, such agreements may be registered on title to the affected lands and may be enforced by the Township against the landowner or any subsequent landowner, in accordance with applicable legislation, including the *Registry Act*.

8.6 Land Division

8.6.1 General Policies

a) General lot creation policies are located within this section of this Plan. Lot creation policies that are specific to particular land use designations are also found in the specific land use sections of this Plan. Lot creation may proceed by the following methods:

i. Registered Plan of Subdivision;

ii. Registered Plan of Condominium;

iii. Part Lot Control within a Registered Plan of Subdivision; or,

iv. Consent.

b) The division of land will be permitted only if the proposed lots conform to the policies of this Plan and comply with the provisions of the Zoning By-law. Where any by-law amendment or minor variance is necessary, it shall be a condition of the consent or plan of subdivision approval.

c) The division of land shall not be permitted where **development** could occur on lands subject to **flooding hazards**, **erosion hazards** or unstable conditions or any other hazard, except as otherwise provided in this Plan, or on lands where the Natural Heritage policies of this Plan would not permit **development**.

d) Some properties, notably in the vicinity of the East Shore, may be incapable of developing due to lot size and **natural heritage** and/or hazard constraints. In some cases, consolidation of adjacent lots may enable **development** for residential purposes or **development** may not be feasible.

e) **Minimum distance separation formulae** requirements shall apply to all division of land for the purpose of **development**.

f) When reviewing consent applications or plans of subdivision, Council and the Committee of Adjustment shall give consideration to the following conditions:

i. All Realty and Business Taxes, if any, are paid in full to the Township;

ii. Payment of any Development Charges (if applicable) is paid to the Township;

iii. Conveyance of land for parkland purposes or payment of cash-in-lieu of parkland is paid to the Township;

iv. Any required road widenings be dedicated to the Township;

v. If required, the applicable Zoning By-law is amended to permit the proposed **development**;

vi. If required, the applicant enter into an Agreement with the Township to construct and/or maintain any drainage facilities servicing the agricultural sector which traverse the subject property;

vii. If required, the applicant construct and/or maintain fences around the proposed lot; and,

viii. Access to the property be constructed to the satisfaction and requirements of the Township and other appropriate agencies.

8.6.2 Plans of Subdivision or Condominium

a) Land division by Plan of Subdivision, rather than by consent, shall generally be deemed necessary if:

i. Six (6) or more lots are being created;

ii. The extension of an existing public road or the development of a new public road (or condominium road) is required to access the proposed lots;

iii. The extension of **municipal water services** or **private communal water and sewage services sewage services** are required to service the proposed lots;

iv. A Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner;

v. Detailed implementation mechanisms including but not limited to municipal agreements are required; or,

vi. The property is a large tract of land designated for **development** and requires a comprehensive Plan of Subdivision or Condominium to establish an appropriate lot and/or road layout.

b) Prior to the consideration of approval of a Plan of Subdivision/Condominium, the Township shall be satisfied that:

i. Each of the proposed lots and/or blocks will front on an existing or proposed public road;

ii. The proposal conforms to all applicable policies of this Plan;

iii. The proposal satisfies all applicable criteria identified within Section 51(24) of the *Planning Act*, R.S.O. 1990, c.P. 13;

iv. Any proposal shall be integrated with the adjacent development with respect to matters including but not limited to appropriate transition to existing neighbourhoods, parkland dedication, trails, roads and **infrastructure**;

v. Any proposed phasing shall be coordinated with abutting development, requirement for external works, and/or future phases, including the use of holding by-laws for future phases, if deemed necessary; and,

vi. Other matters as deemed appropriate by the Township, are addressed.

c) Prior to the registration of any Plan of Subdivision or Plan of Condominium, an Agreement between the landowner and the Township will be required. Matters to be addressed in the Agreement may include but not limited to provision of services, drainage, landscaping, land dedication, construction mitigation, and financial considerations including financial securities. The Agreement shall be registered against the title to the lands.

8.6.3 Part Lot Control

a) Where a Plan of Subdivision has been registered and proposals are brought forth to further subdivide a block or lot into smaller land units, Council may approve such division provided:

i. The proposal conforms to all applicable policies of this Plan;

ii. The proposal satisfies the requirements of the applicable Zoning By-law;

iii. An appropriate agreement is executed between the proponent and the Township;

iv. Required securities are posted; and

v. An appropriate by-law is passed under Section 50(7) of the *Planning Act*.

8.6.4 Consents

a) In considering applications for consent, Council and the Committee of Adjustment shall have regard to the policies of this Plan and those matters outlined in Section 51(24) of the *Planning Act*.

b) Where required, consents will be considered for technical or legal reasons such as boundary adjustments, easements, rights-of-way or other purposes that do not create a new lot;

c) Land division by way of Consent shall be applied where five (5) or fewer lots are being created from the original parcel of land as it existed on May 1, 1991 and in areas where the extension of any major service would not be required;

d) The intent of the Township shall be to discourage scattered and isolated residential **development** throughout the Township;

e) Consents may be used as a means to provide for infilling or minor rounding out within the limits of existing developed areas in the Shoreline Residential, Settlement Area, or Rural designations of this Plan.

f) The division of land will only be allowed when it has been established that the severed and retained parcels involved are suitable:

i. to provide for an appropriate building envelope and other mandated facilities and zoning setbacks; and,

ii. to provide adequate means of potable water supply, sanitary sewage treatment and disposal, and stormwater management including adequate soil drainage, pursuant to the policies of Section 7 of this Plan to the satisfaction of the Township; and,

iii. the necessary approvals are obtained.

g) At the time of submission of an application for consent, the applicant must demonstrate that:

i. Both the severed and retained lots front on an existing public and municipally maintained road;

ii. The size of any parcel of land created by consent should be appropriate for the use proposed, considering the soil conditions and municipal services available;

iii. The proposed use and lot standards comply with the applicable Zoning By-law;

iv. The severed and retained lots are not adjacent to a road where traffic hazards would be created due to proximity to intersections or limited sight lines; and,

v. The proposed use is compatible with surrounding land uses in adjacent areas.

h) Where a consent involves lands within 120m of lands designated Extractive Industrial, the potential for noise, dust and traffic impacts shall be assessed. An impact assessment prepared by a qualified professional may be required.

8.6.5 Agricultural Consents

a) Consents are discouraged in the Agricultural designation. Consents may only be granted for the limited scenarios referenced below. In addition to the policies of Section 8.6.4, the following specific policies shall apply to those lands designated Agricultural on Schedule A of this Official Plan.

b) A consent may be granted to permit a farm lot to be divided into smaller farm lots provided each lot is of a size that is appropriate for the type of agricultural use that is proposed, is common on the Island, and is sufficiently large to maintain flexibility for future changes in the type and size of the agricultural operation.

c) A consent may be granted to sever an existing dwelling that has been made surplus to the needs of the farm operation as a result of farm consolidation, provided that the surplus lot with the farm dwelling is limited to the minimum size needed to accommodate appropriate **sewage and water services** and that the Zoning Bylaw be amended to prohibit construction of a new dwelling on the retained parcel created by the consent.

d) New lots may be permitted for new or existing **agriculture-related uses** that are small scale and directly related to the farm operation and are required to be in close proximity to the farm operation, provided that the size of the lot is kept to the minimum required to site the proposed use, and appropriate services and accessory uses.

e) A consent for a new lot to accommodate **infrastructure** may be permitted provided it cannot be accommodated through the use of easements or rights-of-way.

f) Lot adjustments in **prime agricultural areas** may be permitted for **legal or technical reasons**.

8.7 Parkland Dedication

a) The Township shall require parkland dedication as a condition of **development**, **redevelopment**, Site Plan Control, consent, or subdivision proposals, in an amount equivalent to:

i. 2 percent of the gross land area for all non-residential land uses, commercial or industrial purposes;

ii. 5 percent of the gross land area, or one hectare for each 600 dwelling units for residential purposes where specified by By-law; and

iii. For a mixed-use development that includes a residential component, the parkland dedication requirement shall be based on the pro-rated percentage of Gross Floor Area allocated to each individual use. Where parkland dedication is required by this Plan, the Township shall ensure that the land to be conveyed is suitable for development as a park, taking into consideration its size, location, configuration and condition.

b) Any component of the **Natural heritage system** or hazard lands shall not be accepted for parkland dedication.

c) Wherever possible, lands dedicated for parkland purposes will contribute to a linked system of municipal parks, Provincial parks, conservation areas, pedestrian walkways, trail systems and other public lands of natural or recreational value, with an emphasis on developing corridors along the shoreline, and shall be provided with at least one frontage on a public street.

d) Cash-in-lieu of parkland dedication may be required in the following circumstances:

i. The required dedication fails to provide an area of suitable size, location, and shape for parkland development to the satisfaction of the Township;

ii. The required dedication would render the remainder of the site unsuitable or impractical for development;

iii. The area within which the development is proposed is well served by existing park and open space areas and no further land is required; and

iv. The Township is pursuing other parkland initiatives for community facilities that would benefit from cash-in-lieu of parkland dedication.

8.8 Conservation Easements

a) A conservation easement is a legal tool that may be used to safeguard identified natural, agricultural, cultural, or other conservation-related features on a property. Once established, the easement is registered on title and continues to apply to the lands over time, binding future owners unless it is amended or released in accordance with the applicable agreement and legislation.

b) A landowner may, without requiring a consent or approval of a plan of subdivision, grant an easement or enter into a covenant with the Town or an eligible conservation organization for one or more of the following purposes:

i. to protect, manage, restore, or enhance the land, or any part of it, including wildlife habitat and related natural features;

ii. to maintain or improve water quality and quantity, including measures that support the protection of drinking water sources;

iii. to support watershed protection, stewardship, and management;

iv. to protect agricultural lands and help ensure the ongoing use of the lands for agricultural purposes; or

v. to allow access to the property where such access is necessary to carry out any of the purposes identified above.

c) On lands subject to an easement or covenant of this nature, the construction or demolition of any building or structure shall not occur unless written authorization has first been obtained from the conservation body or its authorized successor.

d) Conservation easements shall be registered on title and remain in effect indefinitely, unless released or otherwise terminated with the agreement of all parties to the easement.

8.9 Development Application Reviews

8.9.1 Pre-Consultation

a) The Township encourages pre-consultation with Township staff prior to the filing of any applications required under the *Planning Act*.

b) The purpose of the pre-consultation process is to review the proposed development application and to identify the information, materials, and specific studies/reports that are necessary for the Township and other agencies to deem the application complete and to properly review the proposed development as part of the application process.

8.9.2 Complete Application Requirements

a) The purpose of a complete application submission is to satisfy the requirements of the *Planning Act* and to ensure that all the relevant and required information pertaining to a development application is available at the time of submission of the application. A complete application is required to:

i. assist planning staff in providing a recommendation on the application;

ii. enable Township Council and its delegated approval authorities to make informed decisions within the prescribed period of time; and,

iii. ensure that the public and other stakeholders have access to all relevant information early in the planning process.

b) For the purposes of the *Planning Act*, a development approval application will be deemed complete once the following requirements have been met:

i. A completed application form has been provided;

ii. All required application fees have been paid;

iii. Plans and drawings have been submitted in accordance with the Township's requirements; and

iv. All supporting studies, information, and materials required by the Township have been completed and submitted to the Township's satisfaction.

c) Reports and/or studies that may be required as part of a complete application may include, but are not limited to:

i. Environmental Impact Study

ii. Phase 1 Environmental Site Assessment if, in the opinion of the Township, the existing or previous uses of the site or **adjacent lands** create a potential for site contamination.

iii. Planning Justification Report.

iv. Functional Servicing Report

v. Archaeological Assessment.

vi. Cultural Heritage Report.

vii. Natural Hazard Impact Study

viii. Geotechnical Report.

ix. Hydrogeological Report.

x. Noise/Odours/Air Quality /Vibration Study.

xi. Stormwater Management Report.

xii. Traffic Impact Study.

xiii. Municipal Financial Impact Assessment

xiv. Agriculture Impact Assessment Report

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d) The Town may, where it considers it appropriate, require supporting studies or materials to be reviewed by an independent qualified professional, with the cost of that review borne by the applicant.

e) As part of a complete application, proponents of significant development applications shall submit a public consultation strategy. Varying with scale of development, a public consultation program is encouraged to occur at each major stage of the approvals process, such as establishing the terms of reference and scope of studies, assessing options, and determining a preferred option.

8.9.3 First Nations Consultation and Engagement

a) Portions of the Lake Erie lakebed and its Islands, including Pelee Island and the Out Islands, are located within the Traditional Territory of the Walpole Island First Nation ("WIFN") and Caldwell First Nation (CFN). WIFN has prepared a Consultation and Accommodation Protocol which documents WIFN's rights and interests in its Traditional Territory and outlines how and when consultation is to take place. The Township will consult the most recent version of the protocol early in the review of new **development** applications to ensure that appropriate contact is made with WIFN.

b) Notwithstanding the policies of the Consultation Protocol, the following applications are matters that could require consultation with Walpole Island First Nation:

i. Applications shown in the Natural Environment Designation identified on Schedule 'A' and the Environmental Review and Environmental Protection areas on Schedules 'B1' and 'B2', respectively, including **adjacent lands**;

ii. Any area identified through an Archaeological Assessment as having Aboriginal significance, artifacts, burial grounds or other items of potential interest;

iii. Any study of the Township's archaeological significance, such as an Archaeological Master Plan;

iv. Any applications for licenses or amendments to licenses issued under the *Aggregate Resources Act*, provided they also require approvals under the *Planning Act* for Official Plan or Zoning changes; and,

v. Secondary Plans.

c) The Township will work with Caldwell First Nation to development a Consultation Protocol for lands located within its traditional territory.

8.9.4 Consultation and Engagement

a) Community engagement for planning matters will be carried out in compliance with the *Planning Act*, the *Accessibility for Ontarians with Disabilities Act*, and other relevant policies and regulations.

b) The Township shall strive to ensure that consultation activities are accessible, transparent, and responsive to the needs of the community.

c) Where appropriate, engagement should begin early in the planning process and continue as the planning matter advances, giving interested parties opportunities to consider relevant information, share their perspectives, and see how input has informed the process.

d) Consultation and engagement activities shall be undertaken in a manner that promotes accessibility and seeks to remove barriers to participation.

e) The Township may utilize a variety of in-person and on-line consultation and engagement methods to inform and seek input from the public, including:

i. statutory public meetings;

ii. open houses and public information centres;

iii. workshops, charrettes, and focus groups;

iv. surveys and questionnaires;

v. project websites and online engagement platforms;

vi. social media and electronic communications;

vii. direct notification to affected property owners and stakeholders; and,

viii. other consultation techniques deemed appropriate by the Township.

8.10 Municipal Development Standards

a) Council may adopt development standards based on the unique rural and natural heritage characteristics of the Island and its special needs for energy conservation, water conservation, alternative transportation modes, and minimum disruption to flora and fauna, among others. These may result in standards significantly different from those of mainland municipalities.

b) New standards will have regard for accessibility for persons with disabilities.

8.11 Maintenance and Occupancy Standards

a) Since the improvement and maintenance of all property is essential for a healthy community environment, the Township will pursue programs that will aid in the prevention of property neglect and aid in property maintenance.

b) In order to conserve, sustain and protect existing and future **development** within the Township, Council may pass a By-law, to establish minimum standards for the maintenance and occupancy of all property and associated buildings and open areas

within the Township. Property owners whose property does not conform to standards in the By-law will be required to repair and maintain such properties in accordance with those minimum standards.

c) The By-law may establish minimum standards for property maintenance and occupancy as they relate to:

   i. The physical conditions of yards and passageways;

   ii. Pest prevention;

   iii. Garbage disposal;

   iv. General cleanliness of buildings;

   v. Keeping lands free from rubbish, debris, weeds, abandoned or used vehicles, trailers, boats, machinery and mechanical equipment or material;

   vi. The adequacy of sanitation including drainage and garbage problems; and

   vii. The safety of buildings and the physical condition of all structures with particular regard to the following:

      a. Structural standards

      b. Lights and ventilation

      c. Condition of stairs

      d. Interior walls, ceilings and floors

      e. Toilet facilities

      f. Conditions of chimneys

      g. Heating systems

      h. Electrical service

      i. Access

8.12 Sustainable Finance

a) The Township will support long-term financial sustainability by responsibly managing municipal resources, considering the fiscal implications of planning decisions, and ensuring that development proceeds in a manner that is financially prudent and

accountable.

b) The Township may, where appropriate, rely on financial tools and authorities provided through applicable legislation, including the *Municipal Act*, *Development Charges Act*, *Planning Act* and any other relevant legislation, to support land use planning objectives and the delivery of **infrastructure** and **public service facilities**.

c) The municipality may use development charges and community benefits charges, in accordance with applicable Provincial legislation, to assist in recovering eligible growth-related capital costs associated with new **development** and **redevelopment**. Development charges shall generally be used to fund growth-related **infrastructure** and municipal services, while community benefits charges may be used to support eligible community facilities, services, and amenities. The municipality shall ensure that the same capital cost is not recovered through both tools.

d) For any development application, the Township may require the landowner/applicant to submit a Municipal Financial Impact Assessment that evaluates anticipated capital costs, identifies the extent to which those costs may be recovered through Development Charges, and outlines any mitigation measures that may lessen potential adverse financial impacts. The scope and requirements for the assessment will be established by the Township.

e) A Municipal Financial Impact Assessment shall be submitted where required by the Township and may be subject to peer review, with all associated costs borne by the landowner/applicant. Where a proposed development is expected to create unacceptable financial impacts or obligations for the Township, and appropriate mitigation cannot be secured, the Township may defer or refuse the application.

8.12.1 Development Charges

a) Development charges are municipal fees payable when a building permit is issued and are used to help fund the capital costs of services and facilities needed to support growth including roads, water and wastewater systems, community facilities, and emergency services **infrastructure**.

b) The Township will undertake a Development Charges study at least once every five (5) years. Following each review, the Township will update the implementing by-law, as appropriate, to establish applicable charges and exemptions throughout the Township. Annual indexing will be applied in accordance with Provincial direction.

c) The Township may adopt a Development Charges By-law on a municipal-wide basis or for defined geographic areas within the Township.

d) The Township may provide full or partial exemptions from Development Charges for certain forms of **development** or **redevelopment** where such exemptions support the **development**, **redevelopment**, or revitalization objectives of this Plan.

e) Development Charges will be determined, imposed, and collected by the Township in keeping with the applicable Development Charges By-law and the requirements of the *Development Charges Act*.

8.12.2 Community Benefits Charges

a) Community Benefits Charges are a financial contribution that is required to be paid when land is developed to contribute to the capital costs of facilities, services and matters incurred from growth and **development**.

b) Council may direct that a Community Benefits Charge Study be undertaken and subsequently enact a Community Benefits Charges By-law which establishes the community benefits charges applicable to construction or **redevelopment** of buildings as defined in the By-law in conformity with the *Planning Act*. Public consultation will be included in the development and approval of such By-law.

c) The Township may exempt some, or all of the Community Benefits Charge, or exempt certain **development**, or **redevelopment** from the Community Benefits Charge, as a means to promote specific **development, redevelopment** or revitalization objectives in accordance with this Plan.

8.13 Community Improvement Plans

8.13.1 Community Improvement Plan Objectives

The objectives for community improvement areas are as follows:

a) To support the goals of the Official Plan;

b) To further enhance Pelee Island as a place to live and to bolster community pride among Township residents;

c) To preserve the viability of the Settlement Areas as the primary commercial, civic and cultural focus of the Township;

d) To enhance the Township's ability to accommodate **development**, **redevelopment** and economic growth and to foster a climate favourable to private investment;

e) To strengthen the existing commercial base and to encourage the establishment of further commercial uses and the maintenance of property;

f) To improve existing municipal hard services and social and recreational facilities to acceptable service standards without placing undue burden on the Township's financial resources;

g) To preserve and protect, without placing under burden to the Township's financial resources, man-made or natural features of the community that Council considers to

be important community assets;

h) To improve the physical appearance and environmental condition of the community;

i) To promote cultural and tourism development; and

j) To promote energy efficiency.

8.13.2 Community Improvement Plan Policies

a) There is a need to maintain and rehabilitate the physical environment within the Township of Pelee. The Township is committed to ongoing improvement efforts where deficiencies exist.

b) Council may pass a By-law designating a Community Improvement Project Area in accordance with the provisions of the *Planning Act*. The boundary of the Community Improvement Project Area may be the whole of the Township of Pelee, or any part thereof.

c) The Township may develop a comprehensive program for the preservation, rehabilitation, reuse and **redevelopment** of an area through the preparation of one or more Community Improvement Plans.

d) Community improvement activities are intended to improve the existing physical landscape through municipally-driven or incentive-based programs. Tools are available to the Township through the *Planning Act* and *Municipal Act* to stimulate community improvement, rehabilitation and revitalization. This can be accomplished through the preparation of a Community Improvement Plan within a designated project area. Areas worthy of preservation and enhancement would benefit from a detailed plan which outlines a program for community improvements.

e) In determining the location of a Community Improvement Project Area and preparation of a Community Improvement Plan, one or more of the following conditions may exist:

i. Buildings, structures, and/or properties are of heritage or architectural significance in need of preservation, restoration, repair, rehabilitation or **redevelopment**;

ii. Built or natural heritage resources in need of preservation or renewal;

iii. Non-conforming or incompatible land uses or activities;

iv. Deficiencies in physical **infrastructure** or community facilities and services;

v. An inadequate mix of housing types, including **affordable** housing;

vi. Known or perceived environmental contamination (i.e. **brownfield sites**);

vii. Poor visual quality, including streetscape and design;

viii. High commercial or industrial vacancy rates;

ix. Improvement needed to energy efficiency and/or renewable energy efficiency;

x. Other relevant social, economic or environmental reasons, and/or;

xi. Demonstrated interest in community improvement from residents and taxpayers of the area.

f) The following are the highest general priorities for the phasing of community improvement activities:

i. Improve the business community in the S**ettlement Areas** to protect their viability as a location for business.

ii. Developing hard and soft municipal services for areas in need of **development** or **redevelopment**.

g) Some of the methods which Council may choose to achieve community improvement objectives are as follows:

i. Establish a special committee of Council to prepare and oversee the implementation of community improvements in accordance with the *Planning Act*.

ii. Take advantage of senior government programs that are available to assist municipal community improvement projects.

iii. Support the provisions of the Township's Maintenance and Occupancy Standards By-law.

iv. Acquire land utilizing any assistance available through senior government programs.

v. Encourage the **redevelopment** or rehabilitation of privately-owned properties in need of improvement and utilize any available senior government programs to assist property owners in their efforts.

vi. Dispose of municipally-owned land to private sector investors who will develop projects that Council believes will be important assets to the community.

vii. Support and assist the Economic Development Advisory Committee (EDAC) in its efforts to improve the viability of the Township as a location for business.

viii. Support the preservation of properties Council determines to be historically

important.

8.14 Official Plan Monitoring and Review

a) The Plan shall be reviewed every five years after comes into effect to ensure that it conforms or does not conflict with provincial plans, has regard to the matters of provincial interest and is consistent with the Provincial Planning Statement. Should economic or social changes occur which necessitate an earlier review, Council may direct such a review to be undertaken. In addition, Council shall monitor population projections and growth on an annual basis. Where growth significantly exceeds the projection outlined in this Plan, Council shall direct a review of this Plan.

b) Monitoring of this Plan and the efficacy of its policies will be important, particularly within the first five years of its use. Key measures relating to private development, municipal services, tourism, the **transportation system** and the protection and enhancement of natural heritage, among others, will need to be assessed on a regular basis.

c) Where in this Plan large areas of land are designated for Tourist Commercial, Residential, or other forms of **development**, it shall be the policy that such lands, if undeveloped, shall not retain this designation indefinitely. Rather, upon each five-year review of this Plan, lands which have not commenced **development** and have not demonstrated substantial progress toward **development** in conformity with the Plan may be re-designated by amendment to this Plan.

8.15 Interpretation

This Plan is intended to be read in its entirety, and the relevant policies are to be applied in each situation.

8.15.1 Plan Boundaries

It is not intended that this Plan be inflexible and rigid in its interpretation. The boundaries of land use designations and overlays shown on the schedules are considered as approximate unless they are bounded by roads or other physical features of barriers. Numerical criteria listed in the text are considered as approximate only, and not absolute.

8.15.2 Language

a) This Plan may establish policies using directive (“shall”, “will”) or enabling (“should”, “may”) language. When using this Plan, attention must be given to such language for appropriate implementation of each policy.

b) The implementation of this Plan will take place over time and the use of words such as “shall”, “will” or “must” should not be construed as the Town’s commitment to proceed with all of the undertakings in this Plan immediately. These undertakings will

typically occur in a phased manner, subject to budgeting and program availability.

c) Where the meaning of any phrasing in this Plan is unclear, the meaning will be determined in the context of the general policy direction provided by this Plan. Examples of permitted uses that are listed in the Plan are not meant to be complete or exhaustive, but to illustrate the range of activities or uses which are permitted within each land use designation.

8.15.3 Definitions

Unless a contrary intention is clear from the text, the definitions of terms contained in the Provincial Planning Statement (2024) apply to terms used in this Plan. These terms are bolded in the text for ease of reference.

8.15.4 Other Legislation

This Plan does not override statutory obligations contained in other applicable legislation.

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9.0 SECONDARY PLANS

In accordance with the policies of this Plan, this section will be amended to include Secondary Plan policies for any development requiring a Secondary Plan.

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